

1540-1550 Bloor Street West – Zoning Amendment & Rental Housing Demolition Applications – Request for Directions Report

Date: November 13, 2020

To: Toronto and East York Community Council

From: Director, Community Planning, Toronto and East York District

Ward 4: Parkdale-High Park

Planning Application Number: 19 263422 STE 04 OZ and 19 263430 STE 04 RH

Summary

This application proposes to amend the City's Zoning By-laws 569-2013 and 438-86 for the former City of Toronto to permit the development of the lands at 1540-1550 Bloor Street West for a 25-storey (80.6 metres high plus 6 metre mechanical penthouse) mixed-use building. The proposal includes 327 dwelling units, of which 12 would be affordable rental replacement units, 25,638 square metres of residential gross floor area and 807 square metres of commercial gross floor area. The proposed total gross floor area of 26,445 square metres would result in a density of 10.72 times the area of the lot. The proposal would incorporate a two level below grade garage with a total of 100 vehicular parking spaces. Also, a total of 337 bicycle parking spaces are proposed.

An associated application for Rental Housing Demolition and Conversion under Section 111 of the City of Toronto Act (Chapter 667 of the Municipal Code) has been submitted. The application proposes to demolish 12 existing affordable rental dwelling units on the lands, all of which would be replaced within the proposed development.

The application was deemed complete on December 20, 2019. The Zoning By-law Amendment application was appealed to the Local Planning Appeal Tribunal (the "LPAT") on June 26, 2020, due to the City's failure to make a decision within the prescribed time period set out in the *Planning Act*. The first Case Management Conference at LPAT took place on October 29, 2020. A second Case Management Conference is scheduled for February 10, 2021; and ten-day hearing is scheduled to commence on July 5, 2021.

The report recommends that the City Solicitor, together with City Planning staff, and other appropriate City Staff, attend the LPAT in opposition to the current proposal. As proposed, the application is not consistent with the Provincial Policy Statement (2020)

and does not conform with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020), does not conform with the Official Plan, implement the findings of the Bloor-Dundas Avenue Study, or the Tall Buildings Urban Design Guidelines, and does not represent good planning. Staff are recommending that discussions continue with the applicant to resolve the issues identified in this report.

Staff recommend that Council defer its decision on the application for Rental Housing Demolition under Chapter 667 of the Municipal Code pursuant to Section 111 of the City of Toronto Act, as the proposed development is not supported by Planning staff. Council's decision under this statute is not appealable to LPAT. Following the LPAT decision on the appeal of the Zoning By-law Amendment application, the Section 111 permit application will return to Council for consideration, if necessary.

Recommendations

The City Planning Division recommends that:

1. City Council direct the City Solicitor, together with City Planning staff and other appropriate staff, to attend the Local Planning Appeal Tribunal hearing to oppose the Zoning By-law Amendment at 1540-1550 Bloor Street West in its current form.
2. City Council direct City Staff to continue discussions with the applicant in an attempt to resolve the outstanding matters as identified in this report.
3. City Council defer making a decision on Rental Housing Demolition application No. 19 263430 STE O4 RH under Chapter 667 of the Toronto Municipal Code pursuant to Section 111 of the City of Toronto Act, 2006, to allow for the demolition of the 12 existing rental dwelling units at 1540-1550 Bloor Street West, and instruct staff, if necessary, to report on the Rental Housing Demolition Application to Toronto and East York Community Council at such time as an LPAT decision has been issued regarding the Zoning By-law Amendment application for the lands at 1540-1550 Bloor Street West, if necessary.
4. In the event that the Local Planning Appeal Tribunal allows the appeal, in whole or in part, City Council direct the City Solicitor to request LPAT to withhold the issuance of any Order(s) on the Zoning By-law Amendment appeal for the subject lands until such time as the City Solicitor has advised the LPAT that:
 - a) The owner has addressed all outstanding engineering issues outlined in the memorandum dated October 16, 2020, and any other comments that may arise further to the review of materials submitted as part of the process to address the issues set out in the memorandum dated October 15, 2020 from Engineering and Construction Services to the satisfaction of the Chief

Engineer and Executive Director, Engineering and Construction Services, and the General Manager;

- b) The owner must include in the zoning by-law, a requirement to provide space within the development for installation of maintenance access holes and sampling ports on the private side, for both storm and sanitary service connections, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services, and the General Manager.
- c) The owner will be required to make satisfactory arrangements with Engineering and Construction Services and enter into a financially secured Development Agreement for the construction of any improvements to the municipal infrastructure, should it be determined that upgrades are required to the infrastructure to support this development, according to the Site Servicing Review and Traffic Impact Study accepted by the Chief Engineer and Executive Director of Engineering and Construction Services.
- d) The owner has provided a revised Functional Servicing Report and Stormwater Management Report, satisfactory to the Chief Engineer and Executive Director, Engineering and Construction Services;
- e) A peer review of the submitted Environmental Noise and Vibration Assessment Report has been undertaken, at the expense of the applicant, to the satisfaction of the Chief Planner and Executive Director, City Planning Division;
- f) The owner has satisfied the Toronto Green Standards, Tier 1 requirements;
- g) The owner has provided a Wind Tunnel analysis to the satisfaction of the Chief Planner and Executive Director, City Planning Division;
- h) The final form of the Amending By-laws is to the satisfaction of the Chief Planner and Executive Director, City Planning, and the City Solicitor, including the securing of the replacement rental dwelling units and rents, the tenant relocation and assistance plan and any other rental housing related matters in conformity with Section 3.2.1.6 of the Official Plan.
- i) City Council has approved the Rental Housing Demolition application No. 19 263430 STE 04 RH in accordance with Chapter 667 of the Toronto Municipal Code to and pursuant to Section 111 of the City of Toronto act, 2006, to allow for the demolition of the 12 existing rental dwelling units at 1540-1550 Bloor Street West; and
- j) The owner and the City has secured appropriate community benefits in consultation with the Ward Councillor together with any matters to be

secured as a matter of convenience with the final allocation and distribution determined by the Chief Planner and Executive Director, City Planning, and enter into and register an Agreement to secure those benefits, pursuant to Section 37 of the *Planning Act*, and

- k) The owner has entered into and registered one or more agreements with the City securing rental housing related matters, appropriate community benefits, and other matters of legal convenience, all to the satisfaction of the Chief Planner and Executive Director, City Planning Division and the City Solicitor.

Financial Impact

City Planning confirms that there are no financial implications resulting from the recommendations included in the report in the current budget year or in future years.

Decision History

At its meeting of January 15, 2008, Toronto and East York Community Council considered a Preliminary Report on a Zoning By-law Amendment application for 1540 Bloor Street West for a 29-storey mixed-use building (File No. 07 238234 STE 14 OZ). TEYCC directed that staff hold a community consultation meeting with landowners and residents within 120 metres of the site. The preliminary report is on the City's website at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2008.TE12.29>

At its meeting on February 13, 2008, Planning and Growth Management Committee endorsed an "Avenue Studies 2008" report for the undertaking of an avenue study on Bloor Street West from Dundas Street West to Keele Street between Glenlake Avenue and Boustead Avenue. The avenue study report is on the City's website at:

<https://www.toronto.ca/legdocs/mmis/2008/pg/bgrd/backgroundfile-10463.pdf>

At its meeting on March 3, 4, and 5, 2008, City Council endorsed the "Supplementary Report - 2008 Avenue Studies" to permit the undertaking of an avenue study on Bloor Street West from Dundas Street West to Keele Street between Glenlake Avenue and Boustead Avenue. The supplementary report is on the City's website at:

<https://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-49630.pdf>

On August 17, 2009, the landowner who had filed the application at 1540 Bloor Street West appealed the Zoning By-law Amendment and Site Plan Control applications to the Ontario Municipal Board (OMB), citing Council's failure to make a decision on the application within the prescribed timelines as per the *Planning Act*. These applications were revised to a 27-storey mixed-use development.

At its meeting of November 30, 2009, City Council adopted "1540 Bloor Street West - Rezoning & Site Plan applications - Request for Directions Report" recommending that staff oppose the application at the OMB. The report is on the City's website at: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2009.TE29.10>

At its meeting on November 30, 2009, City Council adopted "1540 Bloor Street West - Rezoning and Site Plan applications - Request for Directions Report - Supplemental Report" which provided an update on technical services matters that were not previously identified, and therefore not included in the Request for Directions staff report, as referenced above.

The Supplemental Report is on the City's website at:

<https://www.toronto.ca/legdocs/mmis/2009/te/bgrrd/backgroundfile-25141.pdf>

At its meeting on November 30, 2009, City Council adopted the recommendations of the staff report "City Initiated Avenue Study of Bloor Street West between Keele Street and the rail corridor, and Dundas Street West between Glenlake Avenue and Boustead Avenue - Final Report". The avenue study report is on the City's website at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2009.TE29.2>

At its meeting on December 4, 2009, City Council adopted Official Plan Amendment 100, By-law 1221-2009 which relates to the properties at 2238 to 2288 Dundas Street West and 105 Ritchie Avenue, and Zoning By-law 1222-2009 and Urban Design Guidelines that includes the subject site to implement the avenue study.

On March 9, 2010, in OMB Decision Order No. PL09073, the OMB decided that the proposed development at 1540 Bloor Street West not consistent with the findings and recommendations of the Avenue Study, does not conform with the Official Plan and it does not represent good planning and is therefore, refused.

Consultation With Applicant

Consultation took place with the applicant on December 11, 2019, to discuss complete application submission requirements. Issues discussed included:

- Conformity with Official Plan and the Bloor-Dundas Avenue Study policies;
- Conformity with the Tall Buildings guidelines;
- Adherence of angular planes;
- Shadow impacts onto the *Neighbourhoods* land use designation;
- Floorplate sizes;
- Provision of amenity space;
- Dwelling unit sizes;
- Public realm;
- Rental replacement;
- Commercial tenants; and
- Parkland contribution.

The current application was submitted on December 19, 2019 and deemed complete on January 28, 2020.

ISSUE BACKGROUND

PROPOSAL

The applicant is proposing to construct a 25-storey (80.6 metres high plus 6 metre mechanical penthouse) mixed-use residential building with a 6-storey base building (22.3 metres high) including a mezzanine level, and a 19-storey tower component (58.6 metres high). The proposal includes 327 dwelling units of which, 12 would be affordable rental replacement units, 25,638 square metres of residential gross floor area, and 807 square metres of commercial gross floor area. The proposed total floor area of 26,445 square metres would result in a density of 10.72 times the area of the lot.

The proposal includes a shared parking access/loading ramp accessed off Dundas Street West at the northeast end of the site. The proposed loading facilities consist of one combined Type 'B/G' and one Type 'C' loading spaces internal to the site on the ground level.

The proposal would incorporate a two level below grade garage with a total of 100 vehicular parking spaces, which includes; 21 residential spaces and 20 residential visitor spaces (2 accessible) with 12 of the spaces to be shared with commercial uses located on the first level underground and 59 residential spaces (2 accessible) on the second level underground. A total of 337 bicycle parking spaces are proposed to be provided of which; 78 residential spaces on ground level and 218 residential long-term spaces on the first level underground; 33 residential short-term spaces on ground level; and 2 commercial long-term spaces and 6 short-term spaces located on ground level. Also proposed is a 0.40 metre right-of-way widening along the Bloor Street West frontage.

The residential units would be comprised of; 206 1-bedroom (63%), 87 2-bedroom (27%), and 34 3-bedroom (10%) for a total of 327 units.

A total of 988 square metres of indoor amenity space is proposed; 644m² on level 1.5, and 344m² on level 7. A total of 324 square metres of outdoor amenity space is proposed on the 7th level. Green roof areas are proposed on top of the 2nd (234.7m²), 16th (123.5m²), 22nd (125.5m²) levels, and on the mechanical penthouse roof level (232.8m²) for a total of 716.5m². The total proposed indoor amenity space equates to 3.02 square metres per dwelling unit and the total outdoor amenity space equates to 0.99 square metres per dwelling unit.

Site and proposal statistics are found in Attachment 1: Application Data Sheet.

Site and Surrounding Area

The property is located on the northwest corner of Bloor Street West and Dundas Street West. The site is comprised of four parcels at 2,467 square metres (0.61 acres) in size and is irregular in shape. The frontage is 54.2 metres on Bloor Street West and 41.6 metres along Dundas Street West. The Bloor Street West lot line follows the western edge of 1550 Bloor Street West and runs westward for 8.8 metres along the rear of 1552 Bloor Street West and northward to the rear of 1540 Bloor Street West.

The site currently accommodates two-storey mixed-use buildings along Bloor Street West with commercial uses on the ground floor for the properties at 1542 to 1550 Bloor Street West (1542A Bloor Street West is vacant) and the property at 1540 Bloor Street West remains vacant. In addition, there are 12 rental dwelling units on the second level. The northern portion (rear) of the site accommodates an existing private surface parking lot and one-storey vacant strip mall that formerly housed multiple commercial units.

North: Dundas West Subway Station, a single storey building with a bus and streetcar platform. Adjacent on the west is a Unit Park surface public parking lot. On the north side of Edna Avenue are a series of 2 to 3-storey semi and semi-detached residential houses and a law office at the northwest corner of Edna Avenue and Dundas Street West. North on Dundas Street West is a series of low-rise mixed-use buildings and a 4-storey residential building to Chelsea Avenue.

South: A 13-storey commercial and office building, and adjacent to the west are three single detached house-form buildings containing commercial and residential uses and a 4-storey building at Alhambra Avenue.

East: On the northeast corner of Bloor Street West and Dundas Street West is The Crossways, two, 29-storey mixed-use residential buildings with a series of commercial uses and a public health building, and further east is Union Pearson (UP) Express GO rail corridor and station.

West: A series of 2 and 3-storey mixed-use commercial and residential buildings wrapping around north on Dorval Road. Along the northern portion of the aforementioned block is a narrow sliver of property that is part of an existing right-of-way, and westward is a private one-foot reserve, and a public lane extending to Dorval Road.

Refer to Attachment 2 for the Location Map.

Reasons for Application

A Zoning By-law Amendment application is required to amend the former City of Toronto Zoning By-law 438-86, as amended by Zoning By-law 1222-2009 to amend performance standards including building height, density, setbacks, step backs and

parking among other areas of non-compliance. The subject site is not subject to City of Toronto Zoning By-law 569-2013.

Chapter 667 of the Toronto Municipal Code, the Rental Housing Demolition and Conversion Control By-law, prohibits the demolition of all or part of a building that contains six or more dwelling units, of which, at least one is a rental unit, without obtaining a permit from the City. The proposal to demolish 12 existing rental dwelling units at 1540, 1542, and 1546 Bloor Street West is subject to Chapter 667 and the owner has submitted a Rental Housing Demolition application to the City.

APPLICATION BACKGROUND

Application Submission Requirements

The following reports/studies were submitted in support of the application:

- Rental Housing Screening Form
- Rental Housing Demolition and Conversion Form
- Draft Zoning By-laws
- Planning and Urban Design Rationale and Community Services & Facilities Report
- Sun/Shadow Study
- Architectural Plans, Elevations, Sections
- Landscape Plans
- Topographical Survey
- Tree Inventory and Preservation Plan Report
- Energy Strategy Report
- Phase One Environmental Site Assessment
- Phase Two Environmental Site Assessment
- Preliminary Hydrogeological Assessment Report
- Public Consultation Strategy Report
- Environmental Noise and Vibration Feasibility Assessment
- Servicing Report Groundwater Summary
- Functional Servicing and Stormwater Management Report
- Qualitative Pedestrian Level Wind Assessment
- Transportation Impact Study
- Toronto Green Standards Checklist and Version 3.0 Statistics Template

Agency Circulation Outcomes

The application together with the applicable reports noted above have been circulated to all appropriate agencies and City Divisions. Responses received have been used to assist in evaluating the application.

POLICY CONSIDERATIONS

Provincial Land-Use Policies: Provincial Policy Statement and Provincial Plans

Provincial Policy Statements and geographically specific Provincial Plans, along with municipal Official Plans, provide a policy framework for planning and development in the Province. This framework is implemented through a range of land use controls such as zoning by-laws, plans of subdivision and site plans.

The Provincial Policy Statement (2020)

The Provincial Policy Statement (2020) (the "PPS") provides policy direction province-wide on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. It includes policies on key issues that affect communities, such as:

- the efficient use and management of land and infrastructure;
- ensuring the sufficient provision of housing to meet changing needs including affordable housing;
- ensuring opportunities for job creation;
- ensuring the appropriate transportation, water, sewer and other infrastructure is available to accommodate current and future needs; and
- protecting people, property and community resources by directing development away from natural or human-made hazards.

The provincial policy-led planning system recognizes and addresses the complex inter-relationships among environmental, economic and social factors in land use planning. The PPS supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas.

The PPS is issued under Section 3 of the *Planning Act* and all decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS. Comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS.

The PPS recognizes and acknowledges the Official Plan as an important document for implementing the policies within the PPS. Policy 4.7 of the PPS states that, "The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans.

Provincial Plans

Provincial Plans are intended to be read in their entirety and relevant policies are to be applied to each situation. The policies of the Plans represent minimum standards. City Council may go beyond these minimum standards to address matters of local importance, unless doing so would conflict with any policies of the Plans.

All decisions of City Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS and shall conform with Provincial Plans. All comments, submissions or advice affecting a planning matter that are provided by City Council shall also be consistent with the PPS and conform with Provincial Plans.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020)

The Growth Plan for the Greater Golden Horseshoe 2019 came into effect on August 16, 2019. Amendment 1 (2020) to the Growth Plan for the Greater Golden Horseshoe, 2019 came into effect on August 28, 2020. This report analyses the proposal with reference to the August 2020 Office Consolidation of the Growth Plan for the greater Golden Horseshoe 2019, which will be referred to as the Growth Plan (2020). The Growth Plan (2020) continues to provide a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part. The Growth Plan (2020), establishes policies that require implementation through a Municipal Comprehensive Review (MCR), which is a requirement pursuant to Section 26 of the *Planning Act*.

Policies not expressly linked to a MCR can be applied as part of the review process for development applications, in advance of the next MCR. These policies include:

- Directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, contribute to environmental sustainability and provide for a more compact built form and a vibrant public realm;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Achieving complete communities with access to a diverse range of housing options, protected employment zones, public service facilities, recreation and green space, and better connected transit to where people live and work;
- Retaining viable lands designated as employment areas and ensuring redevelopment of lands outside of employment areas retain space for jobs to be accommodated on site;
- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and
- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

The Growth Plan (2020) builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan (2020) take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise. In accordance with Section 3 of the *Planning Act* all decisions of City Council in respect of the exercise of any authority that affects a planning matter shall conform with the Growth Plan. Comments, submissions or advice affecting a planning matter that are provided by City Council shall also conform with the Growth Plan.

The Growth Plan (2020) contains policies pertaining to population and employment densities that should be planned for in major transit station areas (MTSAs) along priority transit corridors or subway lines. MTSAs are generally defined as the area within an approximately 500 to 800 metre radius of a transit station, representing about a 10-minute walk. The Growth Plan (2020) requires that, at the time of the next municipal comprehensive review (MCR), the City update its Official Plan to delineate MTSA boundaries and demonstrate how the MTSAs plan for the prescribed densities.

Staff have reviewed the proposed development for consistency with the PPS (2020) and for conformity with the Growth Plan (2020). The outcome of staff analysis and review are summarized in the Comments section of the Report.

Toronto Official Plan

This application has been reviewed against the policies of the City of Toronto Official Plan, which are intended to be read as a comprehensive whole, and in particular, against the *Neighbourhoods* designated policies. The City of Toronto Official Plan can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>.

Chapter 2 - Shaping the City

Section 2.2.3 - Avenues

Avenues are considered important corridors along major streets where reurbanization is anticipated and encouraged to create new housing and job opportunities while improving the pedestrian environment, the look of the street, shopping opportunities and transit service for community residents. Bloor Street West and Dundas Street West flank the subject site and are both identified as *Avenues*. Refer to Attachment 7: Bloor-Dundas Avenue Study area map.

The Plan recognizes that the *Avenues* will be transformed incrementally, that each is different and that there is no one size fits all approach to reurbanizing them. Reurbanization of the *Avenues* is subject to the policies of the Official Plan, including in particular the neighbourhood protection policies.

Section 2.2.3.1 of the Official Plan provides that reurbanizing the *Avenues* will be achieved through the preparation of *Avenue Studies* for strategic mixed use segments. The Bloor-Dundas Avenue Study satisfies this requirement along with the implementing Zoning By-law 1222-2009. Refer below for further discussion on the Study.

Section 2.3.1 Healthy Neighbourhoods

Neighbourhoods are low rise and low density residential areas that are considered to be physically stable. Development in *Neighbourhoods* will be consistent with this objective, and will respect and reinforce the existing physical character of buildings, streetscapes, and open space patterns in these areas. Section 2.3.1.3 further notes that developments in *Mixed Use Areas* that are adjacent or close to *Neighbourhoods* will:

- be compatible with those *Neighbourhoods*;
- maintain adequate light and privacy for residents in those *Neighbourhoods*; and
- provide a gradual transition of scale and density to achieve the objectives of this Plan through the stepping down of buildings towards and setbacks from those *Neighbourhoods*.

Chapter 3 - Building a Successful City

Section 3.1.1 - Public Realm

The public realm policies recognize its role as a fundamental organizing element of the city and its neighbourhoods and plays an important role in supporting population and employment growth, health, liveability, social equity and overall quality of life. It is a key shared asset that draws people together and creates strong social bonds at the neighbourhood, city and regional level. Policy 3.1.1.13(a) states that sidewalks and boulevards will be designed to provide safe, attractive, interesting and comfortable spaces for users of all ages and abilities by providing well designed and co-ordinated tree planting, landscaping, amenity spaces, setbacks, green infrastructure, pedestrian-scale lighting, street furnishings and decorative paving as part of street improvements.

Sections 3.1.2 and 3.1.3 - Built Form

Our quality of life and personal enjoyment of the public realm depend in part on the buildings that define and support the edges of our streets, parks and open spaces. The scale and massing of buildings define the edges of, and give shape to, the public realm. Built form policies provide principles on key relationships of the location and organization of development, its massing and appropriate amenity within the existing and planned context to inform the built form and ensure each new building will promote and achieve the overall objectives of this Plan. Furthermore, it states that tall buildings are the most intensive form of growth that come with both opportunities and challenges and when the quality of architecture and site design is emphasized, tall buildings can become important city landmarks, help to make the city's structure visible, and contribute positively to the skyline.

Section 3.2.1 - Housing

The Official Plan contains the City's policies pertaining to the provision, preservation, and replacement of housing. Policy 3.2.1.6 states that new development that would have the effect of removing all or a part of a private building and would result in the loss of six or more rental housing units will not be approved unless all of the rental housing units have rents that exceed mid-range rents at the time of application, or, in cases where planning approvals other than site plan are sought, at least the same number, size and type of rental units are replaced and maintained with rents similar to those in effect at the time of application.

Section 3.2.3 - Parks and Open Spaces

The City's Green Space System, made up of parks and open spaces, the natural heritage system, and a variety of privately managed but publicly accessible spaces is an integral part of our quality of life and social well-being. Maintaining, enhancing, and expanding Toronto's system of parks and open spaces will continue to be a necessary element of city-building as the City grows and changes.

Chapter 4 - Land Use Designations

The subject lands are designed Mixed Use Areas on Map 18 of the Official Plan and are located on an Avenue on Map 2 for the Bloor Street West and Dundas Street West frontages. Refer to Attachments 3 and 4: Urban Structures Map and Official Plan Land Use Map.

Section 4.5.2 - *Mixed Use Areas*

Mixed Use Areas are made up of a broad range of commercial, residential and institutional uses, in single use or mixed use buildings, as well as parks and open spaces and utilities. This section identifies development criteria for *Mixed Use Areas* that include, but are not limited to:

- creating a balance of high quality commercial, residential, institutional and open space uses that reduces automobile dependency and meets the needs of the local community;
- locating and mass new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of the Plan, through means such as providing appropriate setbacks and/or a stepping down of heights, particularly towards lower scale *Neighbourhoods*;
- locating and mass new buildings so as to adequately limit shadow impacts on adjacent *Neighbourhoods*, particularly during the spring and fall equinoxes; and
- providing an attractive, comfortable and safe pedestrian environment.

Section 37

Policy 5.1.1 of the Official Plan allows for an increase in height and/or density in return for the provision of community benefits for a proposed development, in accordance with Section 37 of the *Planning Act*. The proposed density meets the Official Plan's

threshold for Section 37 considerations, therefore this development proposal would be subject to the Section 37 policies of the Official Plan should City Council or the Local Planning Appeal Tribunal approve the application.

Right-of-Way Widths

The Official Plan's Right-of-Way Widths Associated with Existing Major Streets, Map 3 planned road width requires a 27 metre right-of-way for this section of Bloor Street West.

Rental Housing Demolition and Conversion By-law

Section 111 of the City of Toronto Act, 2006 authorizes City Council to regulate the demolition and conversion of residential rental properties in the City. Chapter 667 of the Toronto Municipal Code, the Rental Housing Demolition and Conversion Control By-law, implements Section 111. The By-law prohibits the demolition and conversion of all or part of any building or related group of buildings that together contain six or more dwelling units, of which at least one is a rental unit, without obtaining a permit from the City and requires a decision by City Council or, where delegated, the Chief Planner and Executive Director, City Planning Division.

Council may refuse an application or approve an application with conditions, including conditions requiring an applicant to replace the rental units and/or to provide tenant relocation and other assistance, which must be satisfied before a Rental Housing Demolition permit is issued. These conditions implement the City's rental housing protection policies in the Official Plan. However, unlike Planning Act applications, decisions made by City Council under Chapter 667 are not appealable to the LPAT.

Section 33 of the Planning Act also authorizes Council to regulate the demolition of residential properties. Section 33 is implemented through Chapter 363 of the Toronto Municipal Code, the Building Construction and Demolition By-law, which requires Council approval of any demolition of a residential property that contains six or more dwelling units (irrespective of whether any are rental) before the Chief Building Official can issue a demolition permit under the Building Code Act. Where a proposal requires Council approval of a demolition application under Chapter 363 and a Rental Housing Demolition application under Chapter 667, City Council typically considers both applications at the same time.

The proposal to demolish 12 rental dwelling units at 1540, 1542, and 1546 Bloor Street West requires approval under both Chapters 363 and 667 of the Toronto Municipal Code because it involves the demolition of at least six dwelling units and at least one rental unit. Section 6.2 of Chapter 363 provides for the coordination of approval processes, allowing the Chief Building Official to issue a single demolition permit for the purposes of Chapters 363 and 667.

Bloor-Dundas Avenue Study

The Bloor-Dundas Avenue Study area includes an 850 metre segment of Bloor Street West between Keele Street and the CN Rail corridor, and a 750 metre segment of

Dundas Street West between Glenlake Avenue and Boustead Avenue. Both Bloor Street West and Dundas Street West are designated as *Avenues* in the Official Plan. As *Avenues*, they are areas where major transit routes and transit-supportive reurbanization is intended to create new jobs and housing while improving local streetscapes, infrastructure and amenities. *Avenues* are intended to gradually accommodate development as Toronto continues to grow.

As each *Avenue* is different in terms of lot sizes and configuration, street width, existing uses, neighbouring uses, transit service and streetscape potential, the Official Plan directs that a framework for change be tailored to the situation of each *Avenue*, or section of longer *Avenues*, through a local Avenue study involving local residents, businesses and other stakeholders.

City Council adopted Zoning By-law 1222-2009, and the associated Urban Design Guidelines as provided in Section 6 of the Bloor-Dundas Avenue Study – Final Consultant Report dated September 2009. The subject site is located within the Bloor-Dundas Avenue Study and is identified in the Urban Design Guidelines as 'Opportunity Site 3', as a site with the potential for additional height and density. In Zoning By-law 1222-2009, the subject site is identified in two land assembly options referred to as Site E on 'Map 1' and 'Map 5'. Refer to Attachment 9: Zoning By-law 12220-2009 Maps).

Zoning

The subject site has split zoning given that it falls into two zoning categories as discussed below. Map 1 of Zoning By-law 1222-2009 assumes a land consolidation of properties from 1540 to 1552 Bloor Street West however, the proposal exceeds the area of Map 5 but it does not achieve the full land consolidation of Map 1 given that it does not include the property at 1552 Bloor Street West. Refer to Attachment 9, Zoning By-law 1222-2009. Therefore, the properties at 1542 to 1550 Bloor Street West default to the requirements of Zoning By-law 438-86 and the property at 1540 Bloor Street West defaults to Zoning By-law 1222-2009, Map 5.

Zoning By-law 438-86 zones the subject site as 'MCR' mixed commercial residential which permits a wide range of residential, retail and commercial uses, a height maximum of 16 metres, and a density of T4.0; C1.5, R3.0 for the properties at 1542 to 1550 Bloor Street West. Refer to Attachment 5: Zoning By-law Map 438-86.

Zoning By-law 1222-2009, Map 5 is zoned 'MCR' mixed commercial and residential uses with a density of T5.5, C2.0, R4.5. A height maximum of 32 metres is permitted along Bloor Street West and transitions down to 20 metres as it extends towards the north and west portions of the site. Refer to attachment 9, Zoning By-law 1222-2009 Map 5.

The City-wide Zoning By-law 569-2013 does not currently apply to this site. Should the application be approved, the property will be brought into 569-2013 by way of a site specific zoning by-law. Attachment 6: Zoning By-law 569-2013.

Design Guidelines

City-Wide Tall Building Design Guidelines

City Council has adopted city-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of tall building development applications. The Guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure they fit within their context and minimize their local impacts. The link to the guidelines is here:

<https://www.toronto.ca/legdocs/mmis/2013/pg/bgrd/backgroundfile-57177.pdf>.

Growing Up: Planning for Children in New Vertical Communities

In July 2020, Toronto City Council adopted the Growing Up: Planning for Children in New Vertical Communities Urban Design Guidelines, and directed City Planning staff to apply the "Growing Up Guidelines" in the evaluation of new and under review multi-unit residential development proposals of 20 or more residential units. The objective of the Growing Up Guidelines is to consider the needs of children and youth in the design and planning of vertical neighbourhoods which in turn, will enhance the range and provision of housing for households across Toronto. Implementation of the Guidelines also presents the opportunity to address housing needs for other groups, including roommates forming non-family households, multi-generational households and seniors who wish to age-in-place. This will increase liveability for larger households, including families with children, at the neighbourhood, building and unit scale.

The Report from the Chief Planner on the Growing Up Guidelines can be found here:

<https://www.toronto.ca/legdocs/mmis/2020/ph/bgrd/backgroundfile-148361.pdf>

The Growing Up Guidelines (2020) are available at:

<https://www.toronto.ca/legdocs/mmis/2020/ph/bgrd/backgroundfile-148362.pdf>

Site Plan Control

The application is subject to Site Plan Control. A Site Plan Control application has not been submitted.

Community Consultation

Community Consultation

A community consultation meeting was held on September 14, 2020. The meeting was attended by approximately 89 members of the public, the Ward Councillor, the applicant and the applicant's consultants. The proposed Zoning By-law Amendment and Rental Housing and Demolition Conversion applications were discussed at the meeting.

Comments and issues expressed by residents included:

- build a public library, gym or community centre instead of the proposal building;
- preference towards two levels of retail uses versus the proposed one-storey;
- support for the proposal to improve the corner site's run-down condition;
- a low or mid-rise development is better suited for the area;
- too much height and density in one building especially in a Covid-19 era;
- a massive condominium won't be a viable option for people to efficiently move, work and live; will the proposed building height set a precedent for future development in the area?
- this is a place for density if it can be deployed properly;
- concerns for adverse wind conditions and negative shadow impacts;
- concern for the erosion of sky space;
- support for the widened sidewalks for the increase in pedestrian traffic;
- concern for accessibility for all individuals;
- lack of affordable housing offered;
- desire for more trees in the immediate area;
- overcrowding of area schools;
- old homes in neighbourhood not built to withstand new construction vibration;
- how can we afford to maintain businesses in our community?
- realignment of intersection needed to improve taxi stand in front of the Crossways;
- streetcars should be prioritized to move through the intersection faster;
- vehicular speeds need to be lowered on local streets;
- safety is a concern since many accidents have occurred at this intersection;
- frustration with existing overcrowding of the subways and slow movement of traffic;
- questioning of the traffic consultant analysis;
- traffic concerns in an already congested area;
- will carshare programs be proposed within the building?
- desire for a zero car building; and
- rear laneway access issues for adjacent property owners if proposal eliminates the driveway.

Comments were also received from members of the public in writing, by e-mail and telephone after the public meeting expressing similar concerns to those noted above. These comments are addressed in staff's review of the applications as set out in the following sections of this report.

COMMENTS

Provincial Policy Statement and Provincial Plans

The proposal has been reviewed and evaluated against the PPS (2020) and the Growth Plan (2020). The proposal has also reviewed and evaluated against Policy 5.1 of the Growth Plan as described in the Policy Consideration section of the Report. The City is a development area and infill is encouraged under these policies.

The proposal promotes intensification through a 25-storey tall building, which includes a 6-storey base building, and provides for a mix of residential and retail uses adjacent to the Dundas West Transit Station.

The City's Official Plan meets the requirements of the PPS and the Growth Plan however the proposal does not conform to the policies of the Official Plan as discussed below. Therefore, the proposal is not consistent with the PPS and does not conform with the Growth Plan as follows:

The PPS directs municipalities to identify opportunities for *intensification* and *redevelopment* where it can be accommodated. This policy recognizes that not all locations can accommodate *intensification* and *redevelopment*. It establishes that there are areas that are meant to change through *intensification* and *redevelopment*, and there are areas that are meant to remain stable. The proposed building height and scale of development is inappropriate for the site.

PPS Policy 1.1.3.3 directs that planning authorities shall identify appropriate locations for *intensification* and *redevelopment*, and PPS Policy 1.1.3.4 states that appropriate development standards should be promoted which facilitate *intensification*, *redevelopment* and compact form, while avoiding or mitigating risks to public health and safety. Similarly, Growth Plan Policy 5.2.4.5(b) directs that the type and scale of built form for the *development* would be contextually appropriate and Policy 2.2.2.3(f) directs that these policies be implemented through Official Plan policies and designations, updated zoning and other supporting documents.

The proposal is not consistent with PPS Policy 1.7.1(e) which directs that the long-term economic prosperity should be supported by encouraging a sense of place, by promoting well-designed built form. The proposed development does not constitute well-designed built form for the subject site given that it does not respond to the tall building performance standards related to height, scale and massing. Policy 3.1.1(c) states that on corner sites, vary the height and form of the base building to respect and respond to the height, scale and built-form character of the existing context on both streets.

Section 2 of the *Planning Act* identifies matters of provincial interest that a municipality and the Local Planning Appeal Tribunal, among others, shall have regard to in carrying

out their responsibilities under the *Act*. Among the matters is Section 2(p) requiring a municipality to determine the appropriate location of growth and development within the municipality. The type and scale of development proposed for this site is not appropriate as discussed below. Also, the proposed development does not have regard for Provincial Interest for Section 2(r) of the *Planning Act* for the promotion of built form that is well-designed, encourages a sense of place and provides public spaces that are high quality, safe accessible, attractive and vibrant.

Growth Plan Policy 2.2.1.4(c) directs a diverse range and mix of housing options, including additional residential units and affordable housing, to accommodate people of at all stages of life, and to accommodate the needs of all household sizes and incomes, in addition, the *Planning Act* Policy 2(j) directs the adequate provision of a full range of housing, including affordable housing. The proposal does not include the provision new affordable housing.

PPS Policy 4.6 directs that the Official Plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans. Official plans shall identify provincial interests and set out appropriate land use designations and policies.

Within this framework, the PPS and the Growth Plan recognize that the Official Plan is the most important vehicle for implementing PPS requirements and that comprehensive, integrated and long term planning is best achieved through municipal official plans. Although intensification on this transit corridor is encouraged, the proposal in its current form does not comply with Official Plan policies related to matters such as: built form, transition, scale, compatibility and neighbourhood fit. The scale of development is not appropriate at this location considering the area context and does not achieve an appropriate transition of built form to adjacent low-rise *Neighbourhoods*. In addition, the proposal does not support the provision of new affordable housing.

Official Plan Conformity

This application has been reviewed against the Official Plan policies and the Bloor-Dundas Avenue Study and the City's Urban Design Guidelines described in the Issue Background Section of the Report.

Land Use

This application has been reviewed against the Official Plan policies as described in the Issue Background Section of the Report as well as the policies of the Toronto Official Plan as a whole. The site is designated as *Mixed Use Areas* on Map 18 in the Official Plan. Abutting the site to the north is the Dundas West subway Station and the lands are designated *Neighbourhoods*. Also, these portions of Bloor Street West and Dundas Street West are *Avenues*.

Mixed Use Areas are expected to absorb most of the anticipated new housing in the City however, not all *Mixed Use Areas* will experience the same scale or intensity of development, with the highest densities found in the *Downtown*, followed by the sites in the *Centres* and along the *Avenues*. The Official Plan's *Mixed Use Area* policies address the need to maintain an appropriate built form and scale of building and to limit shadow impacts.

Furthermore, development in the *Avenues* will generally be at a much lower scale than in the *Downtown* and most often at a lower scale than in the *Centres*. The subject site is identified as Opportunity Site 3 in the Bloor-Dundas Avenue Study with recommendations, and the implementing Zoning By-law 1222-2009 applies to the site. The proposal is for a mix of residential and commercial uses flanking two designated *Avenues* is acceptable to staff.

Built form, Massing and Height

Official Plan Section 4.5.2(c) states that development will locate and mass new buildings to provide a transition between areas of different development intensity and scales to achieve the objectives of this Plan, through means of such as providing appropriate setbacks and/or a stepping down of heights, particularly towards lower scale *Neighbourhoods*. Furthermore, Policy 4.5.2 d) new development will locate and mass new buildings so as to adequately limit shadow impacts on adjacent *Neighbourhoods*, particularly in the spring and fall equinoxes.

The Bloor-Dundas Avenue Study states that mid-rise buildings should have a proportional relationship with the streets they front, reinforcing the planned context for the area, and they may be able to incorporate taller building elements (up to 15-storeys) at specific locations to meet broader planning objectives. However, these opportunities will be limited and will be specifically identified as part of the planning framework.

The Study identifies the subject site as a 'Taller Mid-rise Building' site which permits 15-storeys and its associated Zoning By-law 1222-2009 permits 32 and 47 metre height maximums provided a full land consolidation has been achieved. As discussed earlier, the subject site does not achieve the full land consolidation since it does not include the property at 1552 Bloor Street West. Therefore, Zoning By-law 1222-2009 permits 20 and 32 metre height maximums for the property at 1540 Bloor Street West and Zoning By-law 438-86 permits a 16 metre height maximum for the properties at 1542 to 1550 Bloor Street West.

The proposal includes a 6-storey (22.3 metres high) base building that covers the majority of the site. Above the base building are two tower elements consisting of a 9-storey (28.6 metres high) tower on levels 7 to 15, a 10-storey (30 metres high) tower on levels 16 to 25, and rooftop mechanical (6 metres high) level above for an overall building height of 86.9 metres high. The lower tower element is generally inset as

compared with the base building and the upper tower element, and the overall building reads as three cube forms.

Base Building

Proposed is a 6-storey, 22.3 metre high base building and with a planned right-of-way for this segment of Bloor Street West at 27 metres. In Section 6.2.2. of the Bloor-Dundas Avenue Study, states that a context sensitive approach to height and massing must be considered that respects the scale of the existing built form and the public realm. Section 5.2 it further states that a strong building base with functional storefronts that support a range of retail and employment uses will help to create a human-scaled streetwall that is reflective of Toronto's existing main streets and distinguishes this Study Area from other *Avenues* throughout the City. Zoning By-law 1222-2009, Section 4(l)(c) requires that the base building height not be greater than 13.5 metres or 4-storeys, whichever is lower.

The Official Plan states that tall buildings should only be considered where they can fit into the existing or planned context, and where the site's size, configuration and context allows for the appropriate design criteria to be met. For instance, Policies 3.1.3.8 and 9(a)(b) state that tall buildings should be designed to consist of three parts - a base, a tower and a top - carefully integrated into a single whole, and the base portion should respect and reinforce good street proportion and pedestrian scale and be lined with active, grade-related uses.

The Tall Buildings Design Guidelines guide the implementation of these policies and define the role of the base building as to help a tall building fit harmoniously within the existing or planned streetwall context, define the edges of adjacent streets, parks and open space at good proportion, and maintain access to sunlight and sky view for pedestrians and neighbouring properties. Based on the Tall Building Design Guidelines, it allows a minimum base building up to an 80% of the right-of-way width which results in a base building height maximum at 21.6 metres. Staff request that the proposed base building be reduced to no greater than a 21.6 metre height maximum, in keeping with the Tall Building Design Guidelines.

Proposed is a 7 metre high ground level which would include a 1.5-storey mezzanine at a height of 3.5 metres. Zoning By-law 1222-2009, Section 4(l)(b) and the Tall Buildings Design Guidelines both require a first storey height minimum of 4.5 metres. Staff are satisfied with the proposed ground floor height.

Height

Proposed is a 25-storey building with an overall height of 80.6 metres (exclusive of the mechanical penthouse), with two tower elements consisting of a 9-storey (28.6 metres high) tower on levels 7 to 15, and a 10-storey (30 metres high) tower on levels 16 to 25. The site is located on two *Avenues* on Bloor Street West and Dundas Street West. The Bloor-Dundas Avenue Study states that since the subject site is located at an

intersection, it may be appropriate location for a 'taller mid-rise building' (up to 15-storeys as noted in the Built Form Section above), because it is also buffered from the neighbourhoods by transit infrastructure. In addition, the Official Plan's Section 3.1.3 Built Form - Building Types state that the built form relationships and design of the building types is informed by citywide urban design guidelines that help to ensure the proper form and fit with the existing and planned context. Policy 3.1.3.10(b) addresses the importance of limiting shadow impacts on the public realm and surrounding properties and policy 3.1.311(c) speaks to limiting and shaping the size of tower floorplates above base buildings.

The Tall Buildings Design Guidelines Section 3.2.4 recommends to organize and articulate tall buildings towers to promote design excellence, innovation and sustainability. In addition, it states that designs which reduce the appearance of the overall tower bulk and present a slender, point tower form in the skyline are encouraged. Also, Section 3.2.1 recommends that the tower floor plates be 750 square metres or less per floor, excluding balconies, to visually diminish the overall scale of the building massing. The proposal exceeds the building height maximums of 16, 20 and 32 metres, depending on the zone, that results in an inappropriately scaled building for the existing and planned context. Furthermore, the proposed floorplates sizes where the majority exceed the 750 square metre maximum size, ranging from 800 to 1,071 square metres, thereby creates a 'slab' building mass that is undesirable for the context. In staff's opinion, the building height should be reduced to respond to the performance standards in the Tall Buildings Design Guidelines to achieve a slender point tower and a maximum 750 metre floorplate size for a desirable built form design.

Transition

Proposed is a building that does not adequately provide a transition to the abutting *Neighbourhoods* and the low-rise dwellings to the north. Zoning By-law 438-86 requires a 45-degree front angular plane from an elevation of 16 metres for the properties at 1542 to 1550 Bloor Street West. Furthermore, a 45-degree rear angular plane is required by Zoning By-law 1222-2009, Section 4(3)(a)(i), for buildings to setback a minimum distance of 7.5 metres from any lot located in a T District. The proposal abuts a T District to the north at the Dundas West Station. Section 5.2.6 of the Bloor-Dundas Study states that the purpose of the MCR zoning's setback and angular plane are to protect abutting neighbourhoods and provide for privacy, sunlight, sky-views and space for a rear lane. In staff's opinion, the building height and massing, as discussed in this report, should be reduced in order to not penetrate the rear angular plane.

Tower Separation

Section 3.2.3 of the Tall Buildings Design Guidelines, states that tall buildings should provide a separation distance of 12.5 metres or greater from the side and rear property lines or centre line, measured from the exterior wall of the buildings, excluding balconies. The intent is to minimize negative impacts on the public realm and neighbouring properties such as adverse shadowing, pedestrian-level wind, and

blockage of sky view, and to maximize the environmental quality of building interiors, including daylighting, natural ventilation, and privacy for building occupants.

The proposed tower separation distances range from 6.4 to 10.1 metres to the north and 5.5 to 7.8 metres to the west property lines. Tower separation distances are achieved on the south and east due to the Bloor Street West and Dundas Street West public right-of-ways providing ample separation distances. In staff's opinion, the proposal be revised to achieve a minimum of 12.5 metres tall building tower separation distances to the north and west property lot lines.

Building Setbacks

The proposed building setbacks are; 1.8 metres to the south, 0 to 0.5 metres to the north, 3.8 to 8.2 metres to the east and 0 to 0.4 metres to the west property lines. Zoning By-law 1222-2009 requires a minimum 1.5 metre setback along the Dundas Street West frontage. Staff are satisfied with the proposed east, west and south setbacks, but not the north and request that a minimum building setback 7.5 metres be provided.

The Bloor-Dundas Avenue Study states that a 7.5 metre rear setback should apply to allow for a 6 metre, two-way lane and a landscape buffer 1.5 metres wide at the north property line. Also, Zoning By-law 1222-2009 requires a minimum rear yard setback of 7.5 metres from any lot or portion of any lot located in an R or T District. The Dundas West Station abuts the subject site to the north and is located in a T District. A 7.5 metre rear yard setback would create a partial connection towards the realization of a future rear lane system. In staff's opinion, the applicant should revise the application to provide a 7.5 metre rear yard setback for review to determine whether a vehicular public lane connection is supportable given the site abuts the Dundas West Station, a busy transit station, and to ensure that no new conflicts would be created. If a vehicular lane is deemed not supportable, a pedestrian connection would be desirable.

Building Stepbacks

The proposed building stepbacks from the north side of the building would range from approximately; 2.5 to 3.0 metres on levels 2 to 6; 5.4 to 6.0 metres on levels 7 for the eastern portion and 13.6 metres for the western portion; 5.4 to 6.0 metres on levels 8 to 15 for the eastern portion and approximately 11.3 metres for the western portion; 10 to 11 metres on levels 16 to 21; 14.0 to 15.0 metres on levels 22 and 23; approximately 15 to 16 metres on level 24; and approximately 18.0 to 19.0 metres on level 25.

The proposed building stepbacks from the south side of the building would range from approximately; 1.8 metres on levels 2; 1.5 metres on levels 3 to 6; 5.1 to 5.3 metres on levels 7 to 25. The proposed building stepbacks from the east side of the building would range from approximately; 0.5 to 3.5 metres on levels 7; 3.2 to 4.0 metres on levels 8 to 5; 0.0 to 1.5 metres on levels 22 to 25.

The proposed building setbacks from the west side of the building would range from approximately; 0.0 to 5.4 metres on level 2-6 for the southern portion and 9.1 metres for the northern portion; 0.0 to 3.4 metres on level 7 for the southern portion and 12.5 meters for the northern portion; 5.5 metres on levels 8 to 15 for the southern portion and 14.5 metres; and 7.8 metres on levels 16 to 25 for the southern portion and 15.8 metres for the northern portion. Although some portions of the building comply with or exceed the 12.5 metre tall building guideline setback, staff are not satisfied with a number of the proposed tower setbacks on all four sides and request that a minimum of 12.5 metres be maintained on the north and west sides from the building base and a minimum of 3 metres on the south and east sides from the building base.

Floorplates

Section 3.2.1. of the Tall Buildings Design Guidelines, states that tall buildings should limit the tower floorplate to 750 square metres or less per floor, including all built area within the building, but excluding balconies. This is to ensure that the size and shape of the tower floor plate works together with the height and placement of the tower to determine the overall three-dimensional massing of a tall building and the visual and physical impact it poses on surrounding streets, parks, open space, and properties. When adequately separated, slender, point form towers with compact floorplates cast smaller, shadows, improve access to sky view, permit better views between buildings and through sites and contribute to a more attractive skyline. As proposed, all tower floor plates above the 6-storey base building would exceed the 750 square metre maximum size except on level 25. The tower floor plate measurement is based the gross construction area measured from the outer wall to outer wall and would be as follows:

Tower Levels	Floorplate Size (m2)
7	1,071
8 to 15	971
16 to 21	1,032
22 to 23	843
24	800
25	642

Staff do not support the proposed tower floor plates except on level 25. In staff's opinion, the proposal should be revised to floor plates to a maximum of 750 square metres to adhere to the Tall Building Design Guidelines performance standard.

Balconies

Section 3.2.5 of the Tall Buildings Design Guidelines, states that balconies are intended to maximize usability, comfort and building performance while minimizing negative impacts on the building mass and public realm. Proposed are inset balconies on all sides of the 6-storey base building. Proposed on level 7 are private terraces up to 3.6 metres in depth. Projecting balconies are proposed on levels 8 to 15 only on the east and west facades at 1.8 metres in depth. Projecting balconies are proposed on levels 16 to 21 only on the north and south facades at 1.8 metres in depth and up to 2.7 metres at the corners. Projecting balconies on levels 22 to 24 are 1.8 metres in depth, and 2.1 metres on level 25. Staff support the proposed inset balconies located on the base building but request that wrap around balconies on the tower corners be eliminated to reduce the physical and visual building mass.

Mechanical Penthouse

The Bloor-Dundas Avenue Study recommends that a mechanical penthouse have a maximum height of 5 metres, not penetrate rear angular planes, or create additional shadow impacts on the street. Zoning By-law 1222-2009 also provides that mechanical penthouses have a maximum 5 metre height and that they be contained within the 45-degree angular plane. The Tall Buildings Design Guidelines recommend that mechanical penthouses integrate into the design and massing of the upper floors to avoid detracting from the form and elegance of the top. The proposal is for a 6 metre high mechanical penthouse which exceeds the height maximum by one metre. The result is that the mechanical penthouse contributes to negative shadow impacts into the adjacent *Neighbourhoods* properties and park open space, as discussed below. Staff request that the mechanical penthouse be reduced in height and/or consider wrapping residential units around it.

Density

The proposed density for this project is 10.72 times the area of the lot. Zoning By-law 1222-2009 permits a density of T5.5, C2.0, R4.5 for the property at 1540 Bloor Street West and the properties at 1542 to 1550 Bloor Street West default to the requirements of Zoning By-law 438-86 with a density of T4.0 C1.5 R3.0. As discussed in other sections of the report, the proposal significantly exceeds key tall building performance standards related to building height would need to be reduced and building setbacks and stepbacks would need to be increased, then the overall density would decrease, and be more in keeping with the split zoning designations for the site with Zoning By-law 1222-2009 and Zoning By-law 438-86, and the Tall Buildings Design Guidelines.

Sun, Shadow

A Sun/Shadow Study prepared by Core Architects, dated December 19, 2019 was submitted illustrating shadow conditions for the March 21st and September 21st

equinoxes. In addition, a supplementary Sun/Shadow Study, dated March 23, 2020, was submitted which includes the As-of-Right shadow conditions of Zoning By-law 1222-2009 for each of the two zoning options for 10-storey and 15-storey developments. However, as discussed earlier in the report, the subject site is split zoned by Zoning By-law 1222-2009 and Zoning By-law 438-86 and a revised Sun/Shadow Study to reflect the split zoning is required for staff review.

Based on the Sun/Shadow Study dated March 23, 2020, provided, which illustrates that at 9:18 a.m. on the March 21st and September 21st equinoxes, shadows are cast onto the designated *Neighbourhoods* to the northwest, including the Chelsea Avenue Playground designated *Park* space. At 10:18 a.m., the shadows are eliminated from the Park however, they continue to be cast onto the *Neighbourhoods* properties along Edna Avenue as they move in a northwesterly to a north-easterly direction as they recess in depth through to 5:18 p.m.

Staff are not satisfied with the proposal and are of the opinion that it creates unacceptable shadow impacts onto the designated *Neighbourhoods* to the north on the Dundas West Station property and the low-rise dwellings beyond, and the Chelsea Avenue Playground due to the 'slab tower' built form, a result from oversized floorplates and a building too tall in height. As such, the shadows cast are significantly longer and wider as compared with the as-of-right shadows for a 15-storey development. Also, given that the landowner does not own the full land assembly (one property deficient) to achieve the 15-storey as-of-right condition, the correct as-of-right condition would be less than what is illustrated on the shadow study. Therefore, staff request a reduction in the building height, massing and floor plate sizes to eliminate and/or reduce shadow impacts and a revised shadow study to reflect the correct zoning by-law permissions.

Wind

The applicant submitted a Qualitative Pedestrian Wind Assessment prepared by Gradient Wind Engineers and Scientists, dated December 6, 2019. The consultant assessed wind impacts along the Bloor Street West and Dundas Street West sidewalks and building entrances, nearby transit stops, exterior amenity area, and neighbouring areas.

The report indicates that the proposed development would not cause wind discomfort at all grade-level pedestrian-sensitive locations across the full study site and is expected to be suitable for the anticipated uses without mitigation. These grade-level areas include nearby sidewalks and building access points.

The report states that the proposed building is not expected to significantly influence pedestrian wind comfort at neighbouring areas beyond the development site such as, nearby building entrances, sidewalks, laneways, parking areas, and other pedestrian-sensitive areas beyond the development site, and are expected to continue to experience wind conditions similar to those that presently exist.

The report recommends that nearby transit stops along Bloor Street West and Dundas Street West be equipped with transit shelters to allow pedestrians to take cover from stronger winds during the colder seasons however, the transit vestibules serving the Dundas West Station on the north of the site are expected to remain suitable for their intended uses. The also report indicates that the outdoor amenity area located on level 7 will likely benefit from raising the north and west perimeter guard heights, as well as, installing localized wind barriers internal to the space. The exact placement and configuration of barriers, if required, be determined at a later stage in the review process.

Staff require that a wind tunnel analysis is required to be conducted with additional sensor areas, as determined by staff, within and beyond the site to provide a complete review of potential wind conditions.

Traffic Impact, Access, Parking

Traffic Impact

A Transportation Impact Study (TIS) report, prepared by Lea Consulting and dated December 2019, was submitted by the applicant's consultant estimates in this report that the proposed trip generation will be 127 and 187 two-way vehicular trips during AM and PM peak hours, respectively. Transportations Services staff are satisfied with the proposed vehicular trip generation.

Access

Vehicular access is proposed by a 6-metre wide, right-in/right-out only driveway at the north end of the site off of Dundas Street West that is internal to the site. The Transportation Impact Study also recommends a signal timing modification for the Bloor Street West and Dundas Street West intersection. The proposed vehicular access driveway access abuts the Dundas West TTC Station's bus and streetcar vehicular access driveway to the north. Transportation Services staff are not satisfied that the potential for public driveway access to extend westward to the end of the block at Dorval Avenue has been sufficiently explored with the applicant with the intent of accommodating rear lane servicing. As such, Transportation Services staff request the site plan be revised to include a site driveway connection to the existing east-west public laneway, to be constructed in accordance with Transportation Services' design standards and the requirements of the Toronto Transit Commission. As discussed earlier in the 'Building Setback' discussion, the Bloor-Dundas Avenue Study contemplates a 7.5 metre rear setback and Zoning By-law 1222-2009 requires a minimum 7.5 metre rear yard setback from a lot located in location to a T District towards the realization of a future rear laneway connection.

Parking

Zoning By-law 438-86 requires that a minimum of 294 vehicular parking spaces be provided, consisting of; 274 resident and 20 shared residential visitor and commercial parking spaces. Proposed are a total of 100 parking spaces; 80 residential spaces (2 accessible) and 20 residential visitor (2 accessible) with 12 of the spaces to be shared with commercial spaces on two levels underground. The two levels of the underground parking garage cover the majority of the site area. The TIS Consultant report provides a parking reduction justification and Transportation Services staff concur with the conclusion. Transportation Planning staff also concur with the report conclusion and suggest that a further parking rate reduction should be explored by the applicant through the provision of a detailed and comprehensive TDM Plan for staff review.

Toronto Transit Commission (TTC)

TTC staff have determined that they will require 40 square metres of land from the subject site along the abutting northern property line to accommodate the future incorporation of low-floor street car vehicles and bus replacement services at the Dundas West TTC Station.

Road Widening

In order to satisfy the Official Plan requirement of a 27 metre right-of-way for this segment of *Bloor Street West*, a 0.40 metre road widening dedication along the *Bloor Street West* frontage of the subject site is required. Transportation Services staff request that the proposal be revised with a 0.40 metre road widening to be conveyed to the City.

A 6 metre radius corner rounding is required at the northwest corner of Bloor Street West and Dundas Street West. Staff request that the proposal be revised to include the required corner rounding.

Loading

Zoning By-law 438-86 requires a minimum of one Type 'G' and one Type 'B' loading spaces be provided. Proposed are one combined Type 'G/B' and one Type 'C' loading spaces. The proposed loading space does not comply with the zoning by-law requirement. However, a justification was provided in the TIS consultant report and Transportation Services and Solid Waste Management staff find the rationale to be acceptable.

Servicing

A Functional Servicing and Stormwater Management Report, prepared by Lithos Group Incorporated, dated December 2019, was submitted. The applicant is required to address outstanding issues from the Engineering and Construction Services memo dated October 16, 2020, and to resubmit the necessary reports for review and

acceptance to the satisfaction of the Chief Engineer, Executive Director of Engineering and Construction Services.

Required revisions include matters such as, but not limited to: stormwater runoff, sanitary flow and water supply demand resulting from the proposal; demonstrating how the site can be serviced and whether the existing municipal infrastructure is adequate; and inclusion in the zoning by-law, of a requirement to provide space within the development for installation of maintenance access holes and sampling ports on the private side, for both storm and sanitary service connections.

Additionally, the owner will be required to make satisfactory arrangements with Engineering and Construction Services and enter into a financially secured Development Agreement for the construction of any improvements to the municipal infrastructure, should it be determined that upgrades are required to the infrastructure to support this development, according to the Site Servicing Review and Traffic Impact Study accepted by the Chief Engineer and Executive Director of Engineering and Construction Services.

Bicycle Parking

Zoning By-law 438-86 requires a minimum total of 328 bicycle parking spaces; 22 short-term and 295 long-term residential spaces and 6 long-term and 2 short-term commercial spaces. Proposed are a total of 337 spaces; 33 short-term and 296 long-term residential spaces and 6 short-term and 2 long-term commercial spaces. The proposal achieves the minimum requirement of spaces therefore, staff support the total number of bicycle spaces. However, staff are not supportive of the proposed 39 short-term parking spaces along the Bloor Street West building frontage which negatively impacts the commercial uses. Refer to the below discussion in the 'Streetscape' section.

Bloor West Bikeway Extension

The City has initiated the planning and design process for a proposed 4.5km western extension of the Bloor Street bike lanes from Shaw Street to Runnymede Road, a segment that encompasses the section of Bloor within the study area. Installation is currently planned for August- October 2020. The extension will provide a direct cycling connection from the study area into the downtown core, as well as other major north-south bike corridors such as High Park Avenue and Runnymede Road. This project will significantly increase the convenience and comfort of cycling along this section of Bloor Street West, and it is anticipated that the number of cycling trips will increase as a result, in the opinion of Transportation Planning staff.

Streetscape

Widening of the boulevard along the Bloor Street West and Dundas Street West frontages is desirable for improved pedestrian movement and streetscape improvements such as tree planting and street furniture. Section 5.2.8 of the Bloor-

Dundas Avenue Study, states that the Bloor Street West sidewalk widening will be achieved through building setbacks, and that new developments should be set back to create a minimum 4.8 metre sidewalk width where required. Also, the Study further notes that due to high pedestrian volumes on the west side of Dundas Street West to the subway station, this may warrant greater setbacks.

Proposed is a 1.8 metre (2 metres to the building glazing) wide building setback along the Bloor Street West frontage to the property line. Proposed would be a 4.6 metre wide public boulevard taken from the property line to the curb edge on the west end and widening to 6.3 metres to the east end. Proposed would be one retail entrance located a few metres west of the east end and 39 short term bicycle parking spaces located in the middle of the frontage on private lands. In addition there would be four trees on the public boulevard adjacent to the curb, and with a bench in the middle.

The proposed Dundas Street West frontage would be irregular in shape due to the angled building footprint configuration. The proposed setback width from the building column to the property line would be 8.2 metres and an additional 2.5 metres on the public boulevard for a total of 10.7 metres at the corner of Bloor Street West and Dundas Street West. Moving north, the proposed setback narrows to 3.7 metres (to the building glazing) on the private lands and 2.5 metres on the public boulevard for a total of 6.2 metres. Further north, the private lands widen to 5 metres with the public boulevard remaining at 2.5 metres for a total 7.5 metres. Also, proposed would be three residential entrances with the most northern entrance recessed back from the street and the vehicular driveway at the north end of the site and three trees sited along the public boulevard adjacent to the curb. Zoning By-law 1222-2009 requires a minimum 1.5 metre building setback along the Dundas Street West frontage. The proposal achieves and exceeds this performance standard.

A pedestrian clearway minimum of 2.1 metres in width is required to maintain compliance with accessibility standards on the public boulevard. In order to provide a 2.1 metre wide pedestrian clearway along the Dundas Street West frontage, a portion of private lands will need to be included. However, an easement is not required on the Bloor Street West frontage in order to achieve the 2.1 metre wide pedestrian clearway. As such, Transportation Services staff request that the plans be revised to indicate a pedestrian easement along Dundas Street West.

The proposed 39 short-term bicycle parking spaces located along the Bloor Street West frontage obstruct and negatively impact the potential viability of commercial uses and opportunities for animation on the ground level, and it eliminates the possibility for commercial spill-out space and/or additional business entrances. As such, staff request that the number of bicycle spaces be significantly reduced on the Bloor Street West frontage and the balance of the spaces be relocated to a more appropriate area on site.

Rental Housing Demolition and Conversion By-law and Official Plan Policy 3.2.1.6

The Rental Housing Demolition application for 1540-1550 Bloor Street West was received on December 20, 2019 and deemed complete by City staff on December 20, 2019.

The applicant's Housing Issues Report indicates that the buildings at 1540, 1542, and 1546 Bloor Street West together contain 12 rental dwelling units, of which one is a bachelor unit, four are one-bedroom units, and seven are two-bedroom units. Eleven of the 12 rental units are currently vacant, and one two-bedroom unit is occupied. Proposed is a replacement of all 12 rental units by unit type and size, and to maintaining the replacement rental units at affordable rents for a period of at least 10 years pursuant to Policy 3.2.1.6 of the Official Plan. Staff will work with the applicant to maximize the length of affordability for the replacement rental units.

Staff are recommending that City Council defer making a decision on the Rental Housing Demolition application until such time as a decision has been made on the Zoning By-law Amendment application by the LPAT. Until then, the Rental Housing Demolition application and associated rental housing matters will be put on hold.

Should the Zoning By-law Amendment application be approved by the LPAT, the Rental Housing Demolition application will require a decision by City Council and the applicant will be required to develop a detailed rental replacement proposal and an acceptable tenant relocation and assistance plan to mitigate hardship for the existing tenant. City staff will also need to meet with the affected tenant pursuant to Section 14B of Chapter 667 of the Toronto Municipal Code.

All rental housing matters, including rental replacement units and the tenant relocation and assistance plan, will need to be secured through agreements registered on title to the site pursuant to Section 111 of the City of Toronto Act, 2006 and Section 37 of the *Planning Act*.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's systems of parks and open spaces are maintained, enhanced and expanded. Map 8B of the City of Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 0 to 0.42 hectares of local parkland per 1,000 people. The site is in the first quintile of current provision of parkland. The site is in a parkland priority area, as per Chapter 415, Article III, of the Toronto Municipal Code.

In accordance with Chapter 415, Article III of the Toronto Municipal Code, the applicant is required to satisfy the parkland dedication requirement through a cash-in-lieu payment. The residential component of this proposal is subject to a cap of 10% parkland dedication while the non-residential component is subject to a 2% parkland dedication. In the event that the owner acquires additional land which increases the total area of the development site, staff reserves the right to modify these comments in order

to request an on-site parkland dedication where such dedication would result in a functional park.

The City's 'Parkland Strategy' is a 20 year strategic city-wide plan that guides long-term planning for new parks, park expansions and improvements, and improved access to existing parks. The Strategy includes a new methodology to measure and assess parkland provision, using the baseline of residential population against the area of parkland available across the city. According to the Strategy's methodology, the development site is currently in an area with 0 to 4 square metres of parkland per person, which is well below the city-wide average provision of 28 square metres of parkland per person in 2016.

The value of the cash-in-lieu of parkland dedication will be appraised through Real Estate Services. The appraisal will be conducted upon the submission of an application for the first above ground building permit and is valid for six months. Payment will be required prior to the issuance of said permit.

Pet Amenities

Given the current rise in dog-owning populations, the applicant is expected to provide on-site dog amenities with proper disposal facilities such as dog relief stations within the building to accommodate future residents' needs. This will also help alleviate pressure on existing parks. Please refer to the City's 'Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings'.

Noise and Vibration

A Noise and Vibration Feasibility Assessment report, as prepared by Gradient Wind Engineers and Scientists, dated December 9, 2019, was submitted as part of the proposal. A peer review is required at the expense of the applicant to ensure appropriate mitigation measures are identified and implemented. Mitigation would also be at the owner's expense. At times, further noise studies, and peer reviews may also be required.

Staff are recommending that City Council direct the City Solicitor to request the Local Planning Appeal Tribunal to withhold its Order in any approval of the Zoning By-law Amendment application until a Peer Review and mitigation measures are identified to the satisfaction of the Chief Planner and Executive Director.

Amenity Space

The built form policies of the Official Plan require that every significant multi-unit residential development provide indoor and outdoor recreation space for building residents. For mixed-use developments, the Zoning By-law typically requires 2 square metres of indoor amenity space and 2 square metres of outdoor amenity space per residential unit. Zoning By-law 438-86 requires 2 square metres of indoor and outdoor

amenity space for a total of 645 square metres for each type. Proposed are a total of 988 square metres of indoor amenity space; 644 square metres on level 1.5, 344 square metres on level 7. Proposed are a total of 324 square metres of outdoor amenity space on the 7th level. In addition, the indoor and outdoor areas on the seventh floor abut one another however, there does not appear to be direct access thereby, the areas are not contiguous. The total proposed indoor amenity space equates to 3.02 square metres per dwelling unit and the total outdoor amenity space equates to 0.99 square metres per dwelling unit. Planning staff do not support the provision of outdoor amenity space as it is significantly deficient.

Green roof areas are proposed on top of the 2nd floor (234.7m²), 16th floor (123.5m²), 22nd floor (125.5m²) and on the mechanical penthouse roof (232.8m²) for a total of 716.5m². Compliance with the Green Roof Zoning By-law will be determined at the Site Plan Approval review stage.

Family-Sized Units

The proposed development proposes a total of 327 dwelling units: 206 one-bedroom units (63%), 87 two-bedroom units (27%) and 34 three-bedroom units (10%). The Growing Up Guidelines state that multi-unit buildings should include 10% three-bedroom units and 15% two-bedroom units. The proposal exceeds that performance standard. Planning staff support the mix of units.

In addition to a mix of two and three bedroom units, the Growing Up Guidelines also set a range for unit sizes. Two bedroom units should be a size that ranges from 87-90 square metres, and three bedroom units should be a size that ranges from 100 to 106 square metres. The proposal's average size for the two bedroom units is 54 square metres, and three bedroom with an average of 103 square metres. For the two bedroom units that fall below the minimum size requirements, staff request that the proposed units be revised to achieve the minimum unit size requirement of 87 square metres. It is unknown if any of the three bedroom units fall below the minimum threshold of 87 square metres, however if any of them do, that the proposal be revised to be in line with the ranges as provided in the Growing Up Guidelines.

Tree Preservation

City of Toronto By-laws provide for the protection of trees situated on both private and City lands. An Arborist Report was submitted, as prepared by Kuntz Forestry Consulting Incorporated, dated November 14, 2019. The report proposes the removal of three privately owned trees. One of the three trees is exempt from the Private Tree By-law requirements because it is undersized however, the other two trees are regulated by the provisions of the Private Tree By-law and will require a permit for their removal. No trees exist on the public boulevard.

Urban Forestry staff have concluded that based on the standard requirement, a total of six new trees are required to replace the two proposed private trees for removal at a

replacement ratio of 3 to 1. No trees are proposed on the subject site. As such, Urban Forestry will require the payment of cash-in-lieu for the required replacement trees not being planted on the subject lands due to space constraints.

Proposed are four trees on Bloor Street West and three trees on the Dundas Street West public boulevards. Urban Forestry staff have concluded that since the proposed street trees on the submitted Landscape Plans do not meet the standards for street tree planting, among other matters, therefore, revised plans are required to demonstrate how the prescribed standards will be achieved.

Toronto Green Standard

Council has adopted the four-tier Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

The applicant is required to meet Tier 1 of the TGS. Performance measures for Tier 1 development features secured through the zoning by-law process: Automobile Infrastructure, Cycling Infrastructure, and Storage and Collection of Recycling and Organic Waste. In addition, TGS performance measures will be secured through the Site Plan Approval process.

Community Services Assessment

Community Services and Facilities (CS&F) are an essential part of vibrant, strong and complete communities. CS&F are the lands, buildings and structures for the provision of programs and services provided or subsidized by the City or other public agencies, boards and commissions, such as recreation, libraries, childcare, schools, public health, human services, cultural services and employment services.

The timely provision of community services and facilities is as important to the livability of the City's neighbourhoods as "hard" services like sewer, water, roads and transit. The City's Official Plan establishes and recognizes that the provision of and investment in community services and facilities supports healthy, safe, and liveable communities. Providing for a full range of community services and facilities in areas experiencing major or incremental growth, is a responsibility shared by the City, public agencies and the development community.

The applicant has submitted a Community Services and Facilities (CS&F) Study, Appendix A in Planning & Urban Design Rationale Report dated, December 2019, as prepared by Bousfields Incorporated. The Study reviewed the area bounded by the railway corridor to the north, Keele Street/Parkside Drive to the west, Queen Street

West to the south, and Lansdowne Avenue to the east. The scoped Study provides an overview of nearby development activity, related population projections, pupil yield numbers for the school boards and discussion of new facilities and/or facility improvements which may be considered for Section 37 community benefits should they be part of the development application. The Study concludes that the area is lacking child care spaces, and identifies that the local library and recreation centre may require improvement to accommodate growth in the area, and there are existing capacity issues at area public schools.

Staff support this conclusion and it is recommended that the following contributions towards CS&F priorities be considered in review of this application:

- To secure a financial contribution towards the expansion of the High Park Library;
- To secure financial contributions towards recreation facilities in the vicinity of the subject site as identified through the implementation of the City's Parks and Recreation Facilities Master Plan; and/or
- To secure financial contributions towards the off-site delivery of a new child care facility in the vicinity of the subject site.

TDSB

The Toronto District School Board (TDSB) is represented by the Toronto Lands Corporation (TLC). The TLC does not support the approval of the application for development at this time. The proposal is located in a community experiencing significant residential intensification and population growth that is presenting critical accommodation challenges at local elementary schools, particularly at Keele Street Public School. New residential development would exacerbate the existing overcapacity situation at local schools. Based on the data available at this time, TLC in consultation with TDSB staff has determined that there is insufficient space at local schools to accommodate the students anticipated from this proposal.

The proposed residential development is located within the attendance boundary of Keele Street Public School, which is currently operating over capacity at a 99% utilization rate, and is projected to grow to 125% by 2029. The school is situated on a small, constrained site that had previously accommodated a large number of portables, which have been permanently replaced by a large 11-classroom addition in 2015. Any further additions or portables to the 3.19 acre Keele Street Public School site cannot be accommodated without significant encumbrance to the existing play area. Similarly, the other elementary schools within walking distance of the proposed development cannot accommodate any additional portables. Without adequate local school capacity, students generated by new development will not be accommodated by local schools and will need to be bussed, often on lengthy commutes, to other TDSB schools far outside the local community.

It is TLC's position that the timing of development should be aligned with the provision of pupil accommodation at local schools, with occupancy no earlier than September 2024, in line with the TDSB's High Park area accommodation strategy.

TCDSB

The Toronto Catholic District School Board (TCDSB) advises that the proposed development is within the boundary of St. Cecilia Catholic School and Bishop Marrocco/Thomas Merton Catholic Secondary School and St. Mary Catholic Academy. At this time, the local elementary school is operating at capacity and cannot accommodate additional students from the proposed development however, sufficient space exists within the local secondary schools to accommodate additional students.

Additionally, the TCDSB was involved in communications with the City related to the Community Services and Facilities planning for the Bloor West Village Avenue Study and the High Park Apartment Neighbourhood Area Character Study, located to the west of this proposal, to ensure representation of school board needs in the High Park area.

Due to concerns associated with school accommodation, TCDSB advises that should the proposed development proceed to the satisfaction of the City, that clauses be included in the City's conditions of approval and subsequently within any agreements of purchase and sale for the proposed development units and that the landowner erect and maintain a sign on the site advising that the TCDSB has plans to accommodate students from this development, and if the elementary and secondary schools which serve this area are oversubscribed, students from this development may need to be accommodated in portable classrooms or may have to be redirected to a school located outside the area.

Section 37

Policy 5.1.1 of the Official. Plan allows for an increase in height and/or density in return for the provision of community benefits for a proposed development, in accordance with Section 37 of the Planning Act. The proposed height and density meets the Official Plan's threshold for Section 37 considerations therefore, this development proposal would be subject to the Section 37 policies of the Official Plan should the Local Planning Appeal Tribunal approve the application.

Conclusion

The proposal has been reviewed against the policies of the PPS (2020), the Growth Plan (2020), and the Toronto Official Plan. Staff are of the opinion that the proposal is not consistent with the PPS (2020) and conflicts with the Growth Plan (2020). Further, the proposal is not in conformity with the intent of the Toronto Official Plan, particularly as it relates to building height, setbacks, stepbacks, transition and density. The proposal at the current height would create unacceptable shadow impacts on the north

designated *Neighbourhoods* lands. The proposal does not represent good planning and is not in the public interest.

Therefore, the report recommends that the City Solicitor, together with City Planning staff and any other City staff as appropriate, appear before the Local Planning Appeal Tribunal (LPAT) hearing to oppose the application in its current form and to continue discussions with the applicant in an attempt to resolve the outstanding issues outlined in this report.

Contact

Diane Silver, Senior Planner
Tel. No. (416) 395-7150
E-mail: Diane.Silver@toronto.ca

Signature

Lynda H. Macdonald, MCIP, RPP, OALA, FCSLA,
Director Community Planning,
Toronto and East York District

ATTACHMENTS

City of Toronto Data/Drawings

- Attachment 1: Application Data Sheet
- Attachment 2: Location Map
- Attachment 3: Urban Structure Map
- Attachment 4: Official Plan Land Use Map
- Attachment 5: Zoning By-law Map 438-86
- Attachment 6: Zoning By-law Map 569-2013
- Attachment 7: Bloor-Dundas Avenue Study Boundary
- Attachment 8: Bloor-Dundas Public Realm Plan
- Attachment 9: Zoning By-law 1222-2009 Maps

Applicant Submitted Drawings

- Attachment 10: Site Plan
- Attachment 11a: North Elevation
- Attachment 11b: South Elevation
- Attachment 11c: East Elevation
- Attachment 11d: West Elevation

Attachment 1: Application Data Sheet

Municipal Address: 1540-1550 BLOOR ST W Date Received: December 19, 2019
 Application Number: 19 263422 STE 04 OZ
 Application Type: Rezoning

Project Description: Proposal for a 25-storey (80.6 metres high plus 6 metre mechanical penthouse) mixed-use building comprised of a 6-storey podium and 19-storey tower element. The proposal will contain approximately 807 m² of non-residential gross floor area and 25,638 m² residential gross floor area, a total of 327 residential dwelling units (including 12 rental replacement units), and 100 vehicular parking spaces on two levels underground.

Applicant	Agent	Architect	Owner
Bousfields Inc. 3 Church Street Suite 200 Toronto, ON M5E 1M2	Same as Applicant	Core Architects 130 Queens Quay East, Suite 700 Toronto, ON M5A 0P6	Timbertrin (Dundas-Bloor) Inc. 359 Kent St Suite 401 Ottawa, ON K2P 0R6

EXISTING PLANNING CONTROLS

Official Plan Designation:	<i>Mixed Use Areas</i>	Site Specific Provision:	N
Zoning:	MCR T3.0 C1.0 R2.0	Heritage Designation:	N
Height Limit (m):	16, 20 & 32	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (m²): 2,467 Frontage (m): 54 Depth (m): 42

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	1,583		2,024	2,024
Residential GFA (sq m):	738		25,638	25,638
Non-Residential GFA (sq m):	2,428		807	807

Total GFA (m2):	3,166	26,445	26,445
Height - Storeys:	2	25	25
Height - Metres:	7	80.6	80.6 ex. mech.

Lot Coverage Ratio (%) : 82.04 Floor Space Index: 10.72

Floor Area Breakdown	Above Grade (m2)	Below Grade (m2)
Residential GFA:	25,638	
Retail GFA:	807	
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:		

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:	12		12	12
Freehold:				
Condominium:			327	327
Other:				
Total Units:			327	327

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:			206	87	34
Total Units:			206	87	34

Parking and Loading

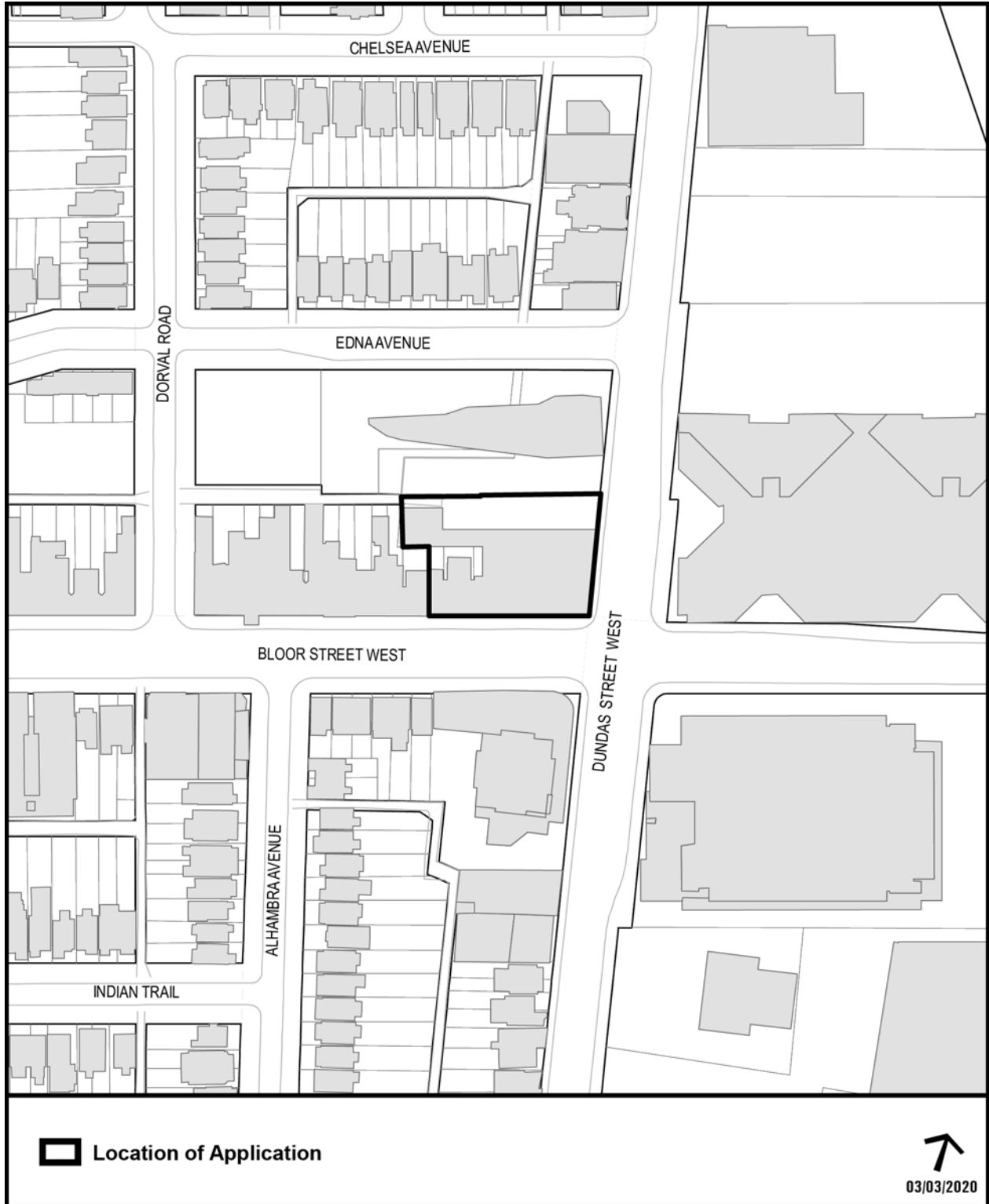
Parking Spaces:	100	Bicycle Parking Spaces:	337	Loading Docks:	2
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CONTACT:

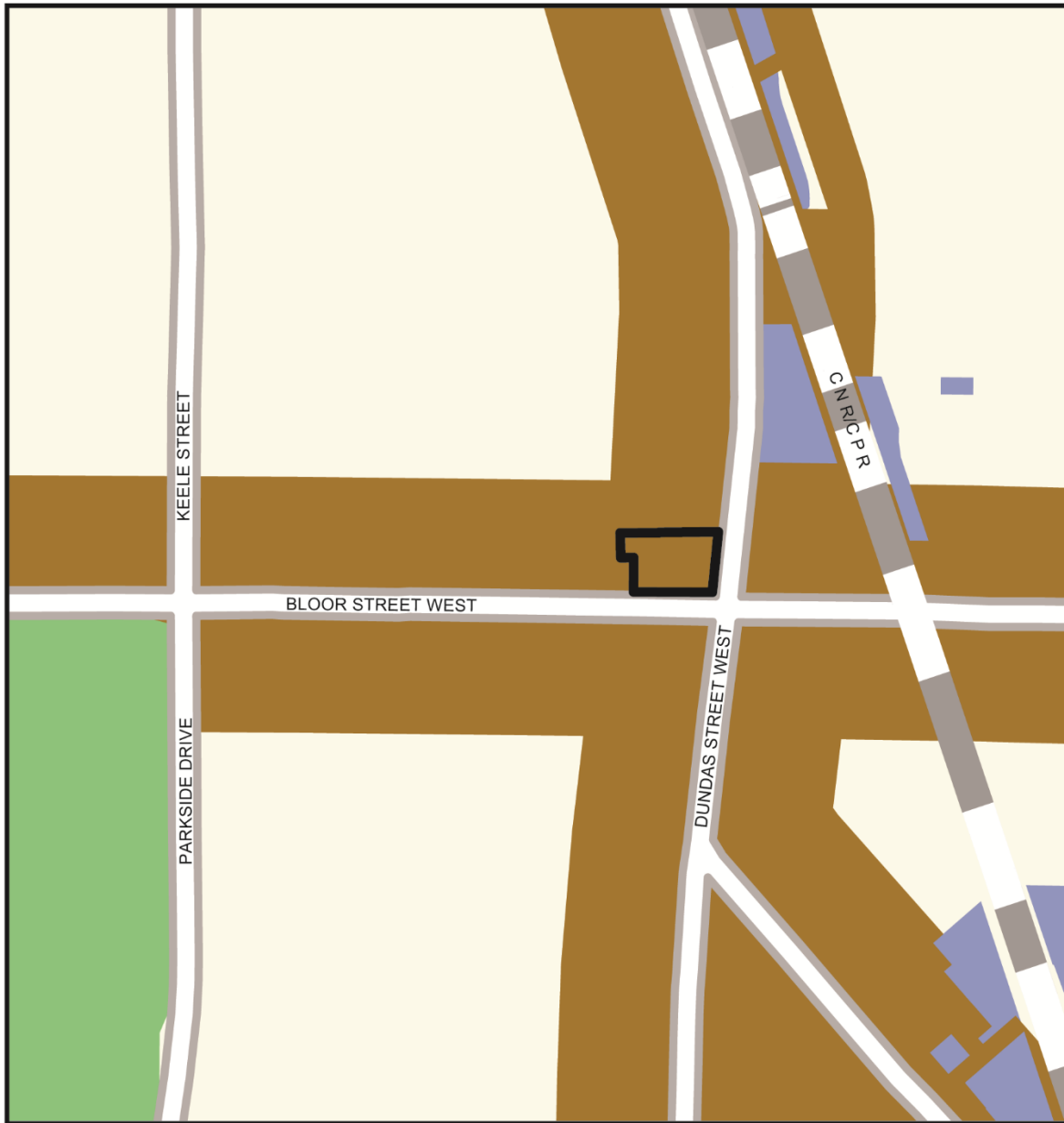
Diane Silver, Senior Planner

Telephone: (416) 395-7150 Email: Diane.Silver@toronto.ca

Attachment 2: Location Map







Attachment 3: Urban Structure Map



1540-1550 Bloor Street West

Official Plan Urban Structure Map

File # 19 263422 STE 04 0Z

-  Location of Application
-  Avenues
-  Employment Areas
-  Green Space System


Not to Scale
05/01/2020

Attachment 4: Official Plan Land Use Map



1540-1550 Bloor Street West

Official Plan Land Use Map

File # 19 263422 STE 04 0Z

- Location of Application
- Neighbourhoods
- Mixed Use Areas
- Parks & Open Space Areas
- Parks
- Utility Corridors
- General Employment Areas

Not to Scale
03/03/2020

Attachment 5: Zoning By-law Map 438-86




Zoning By-law 438-86

1540-1550 Bloor Street West

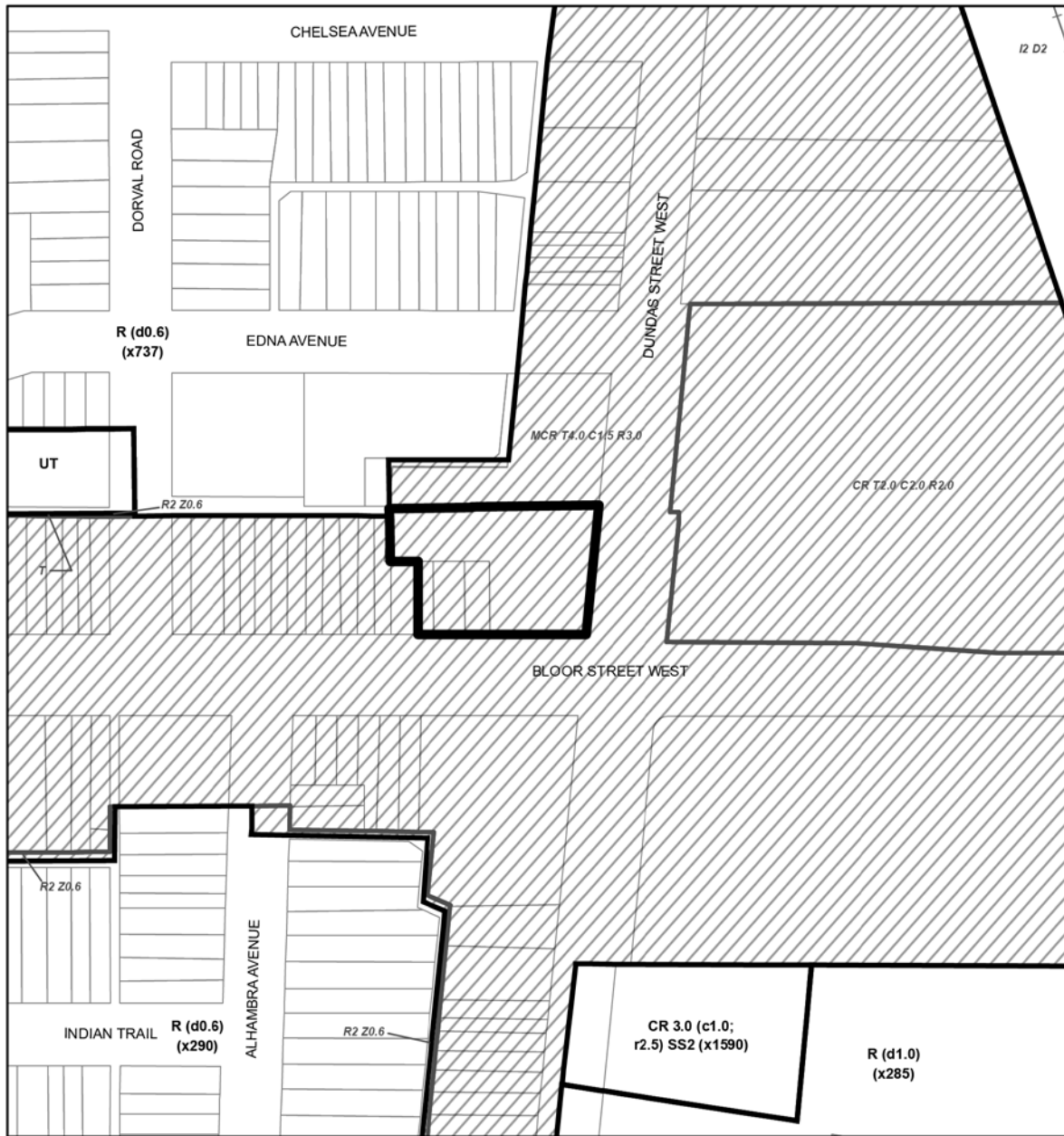
File # 19 263422 STE 04 0Z

 Location of Application

R2 Residential T Employment Industrial CR Commercial
MCR Commercial


Not to Scale
Extracted: 03/04/2020

Attachment 6: Zoning By-law 569-2013



Zoning By-law 569-2013

1540-1550 Bloor Street West

File # 19 263422 STE 04 0Z



Location of Application

R Residential CR Commercial Residential
 UT Utility and Transportation



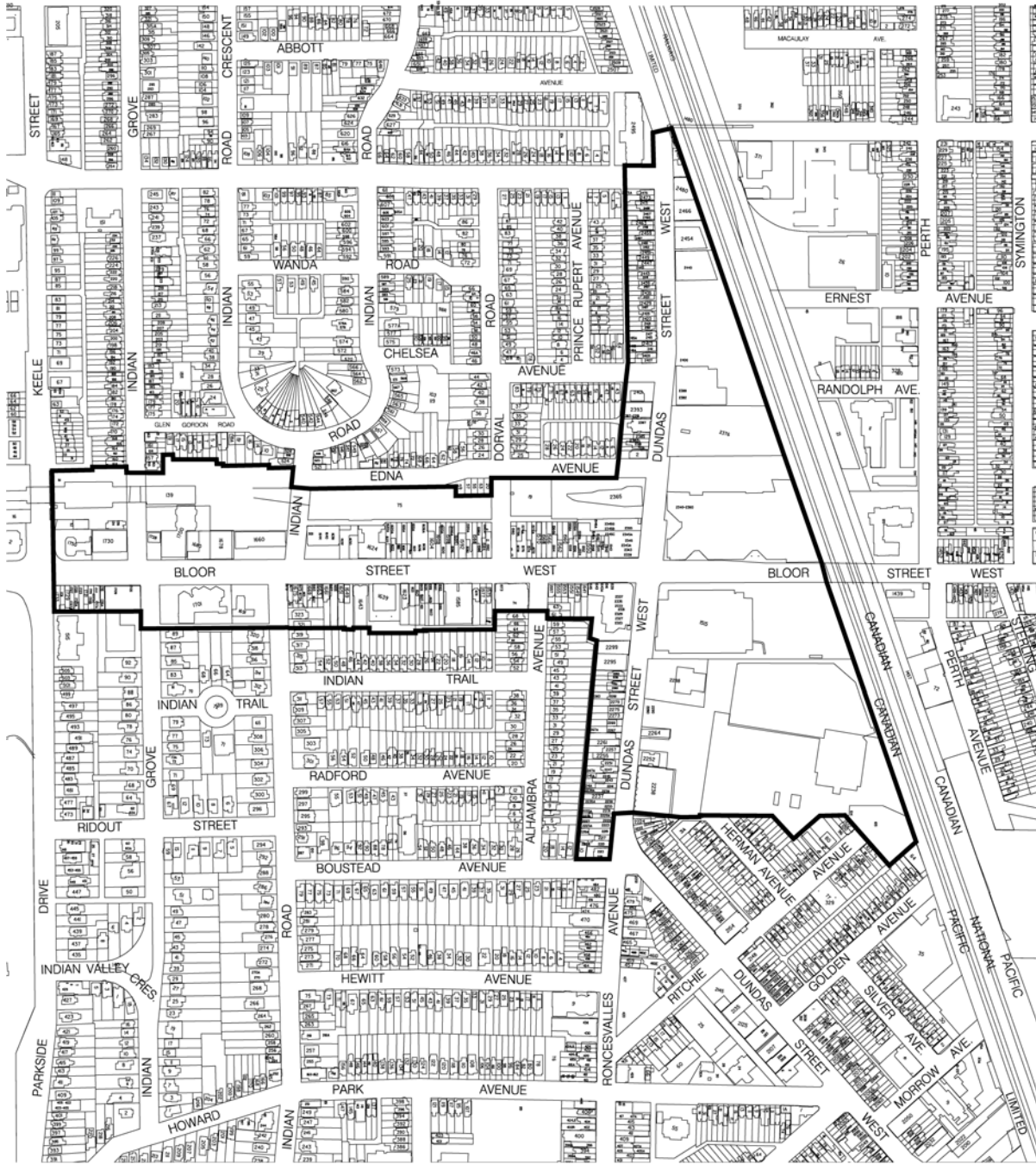
See Former City of Toronto By-law No. 438-86

R2 Residential District
 CR Mixed-Use District
 MCR Mixed-Use District
 T Industrial District



Not to Scale
 Extracted: 03/04/2020

Attachment 7: Bloor-Dundas Avenue Study Area Boundary



Location Map

Bloor Dundas 'Avenue' Study area boundary

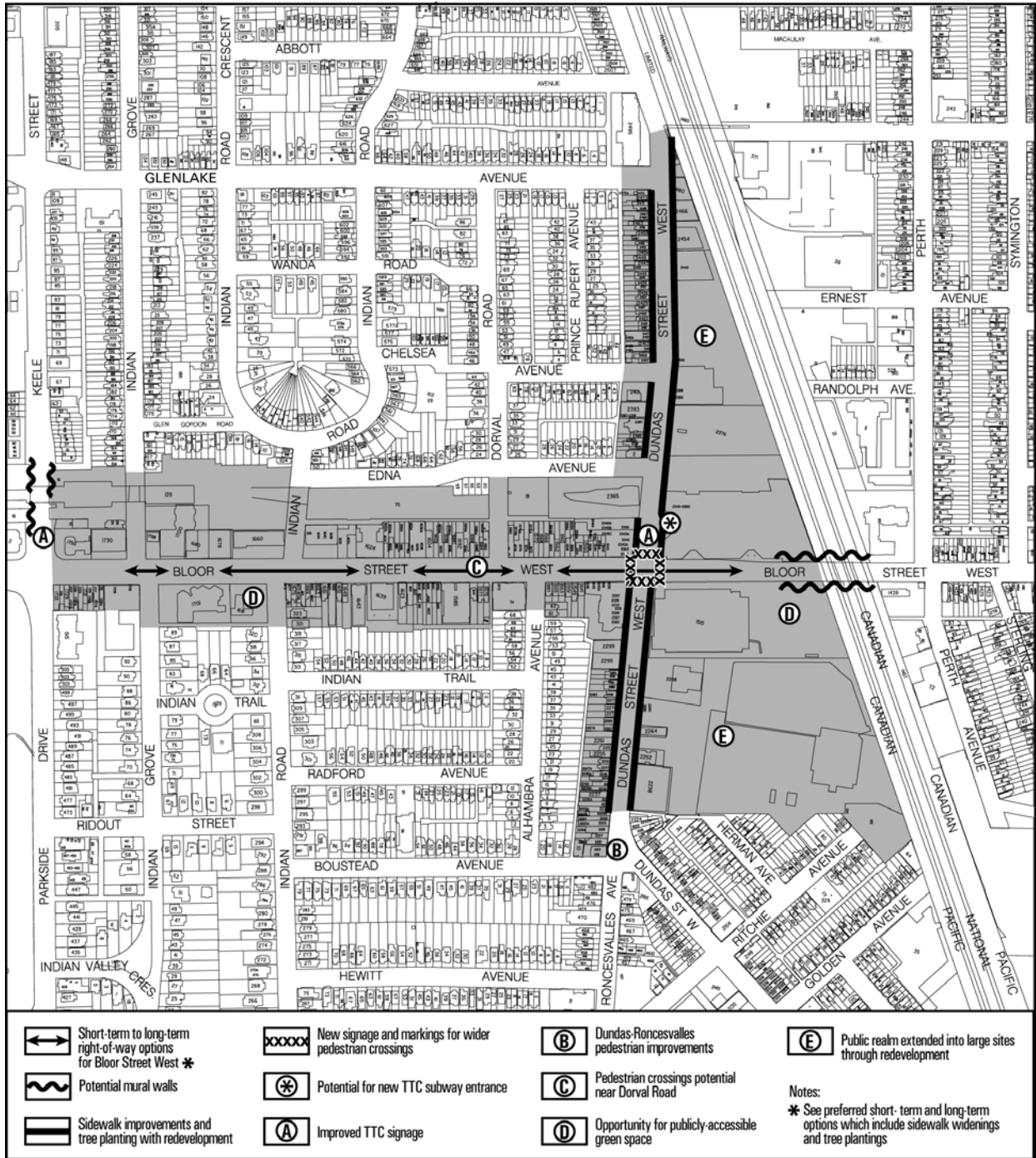
Bloor Dundas 'Avenue' Study

File # 08_164661

09/21/09



Attachment 8: Bloor-Dundas Avenue - Public Realm Opportunities Plan



Public Realm Opportunities Plan

Bloor Dundas 'Avenue' Study Area

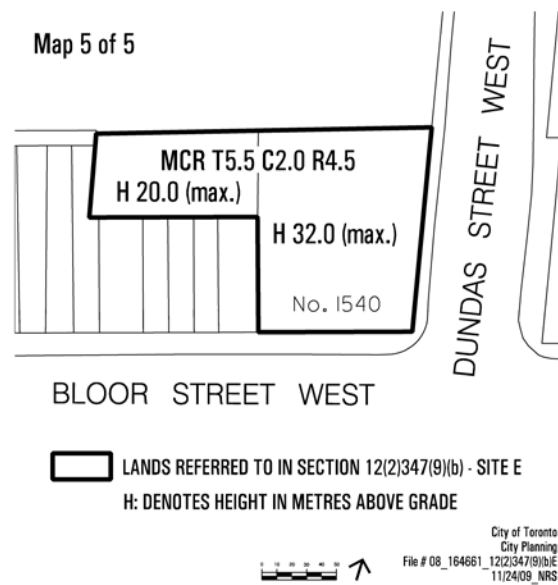
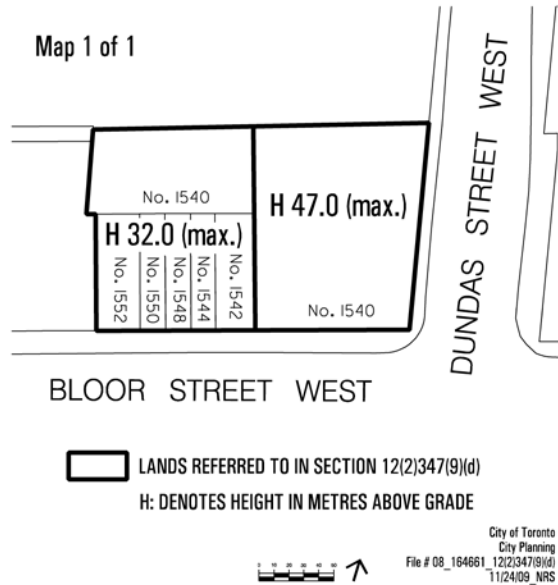
Bloor Dundas 'Avenue' Study

File # 08_164661

09/21/09



Attachment 9: Zoning By-law 1222-2009 Maps

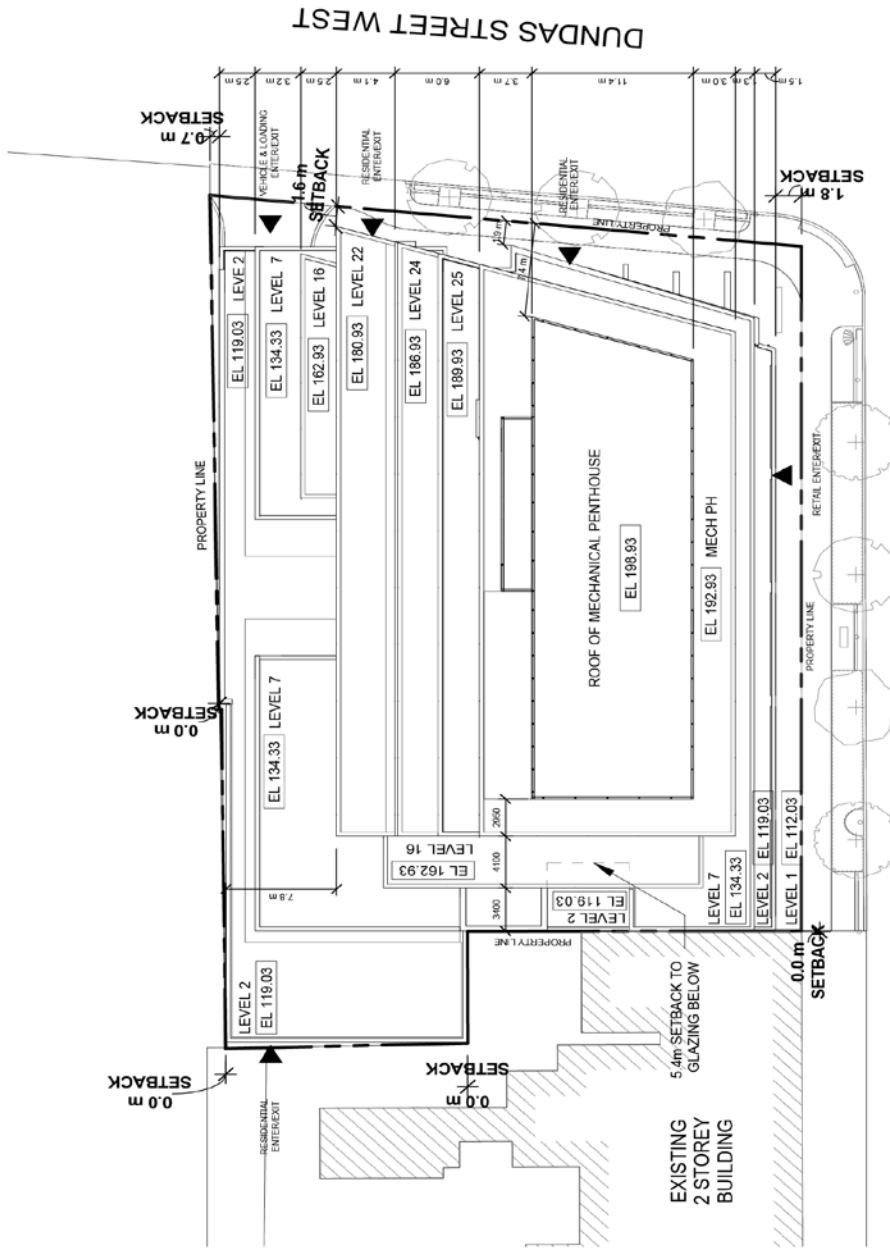


Zoning By-law 1222-2009 Maps 1 and 5

1540-1550 Bloor Street West

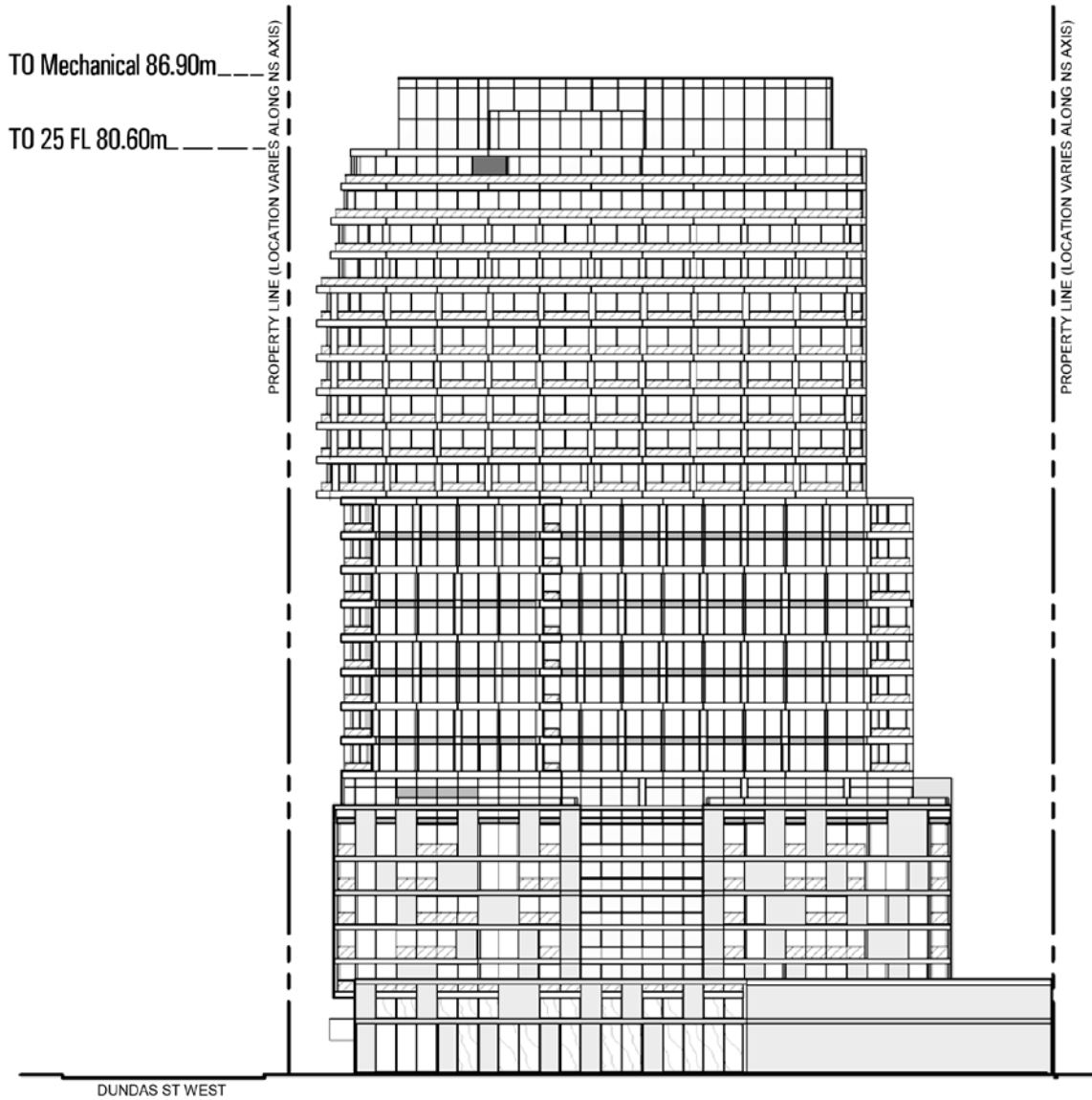
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File # 19 263422 STE 04 0Z



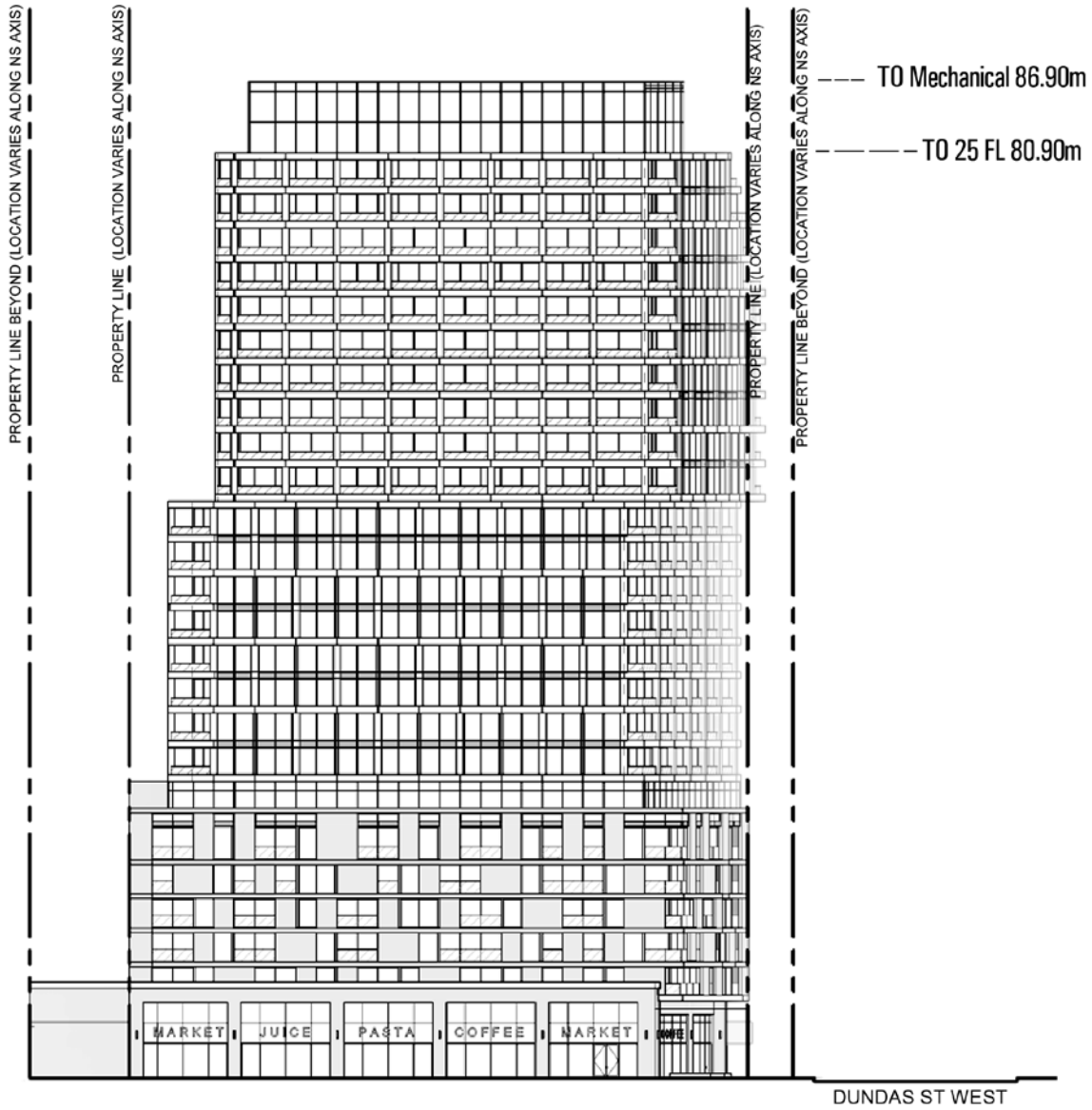
Site Plan

Attachment 11a: North Elevation



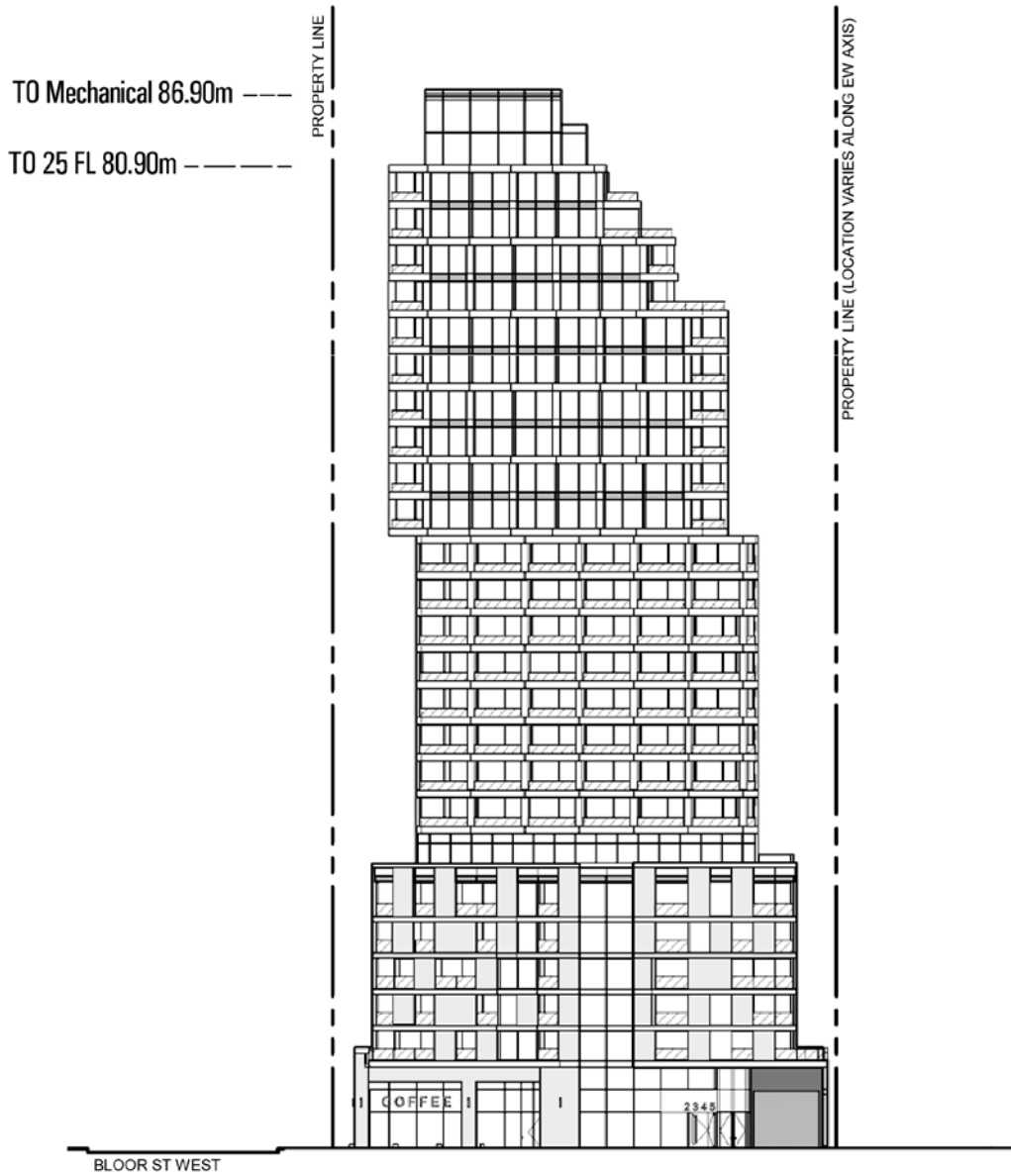
North Elevation

Attachment 11b: South Elevation



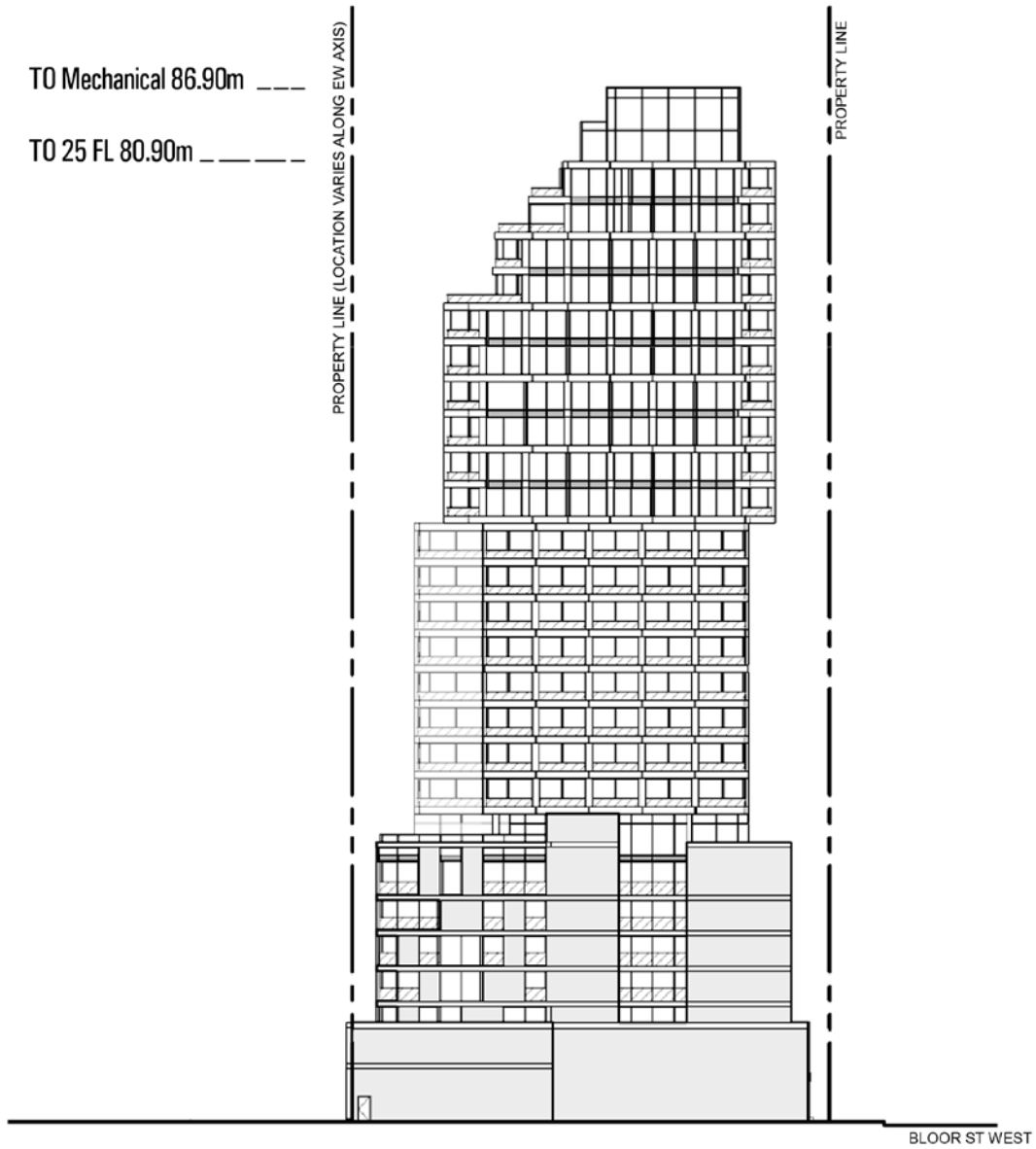
South Elevation

Attachment 11c: East Elevation



East Elevation

Attachment 11d: West Elevation



West Elevation

